

FILED

JAN 15 2019

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION

Protect Our Parks, Inc., Charlotte Adelman,
Maria Valencia, and Jeremiah Jurevis,

Plaintiffs,

v.

Chicago Park District and City of Chicago,

Defendants.

Case No. 18-cv-3424

Honorable John Robert Blakey

**MOTION FOR LEAVE BY THE CULTURAL LANDSCAPE FOUNDATION TO FILE A
BRIEF AS *AMICUS CURIAE* IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS OR FOR JUDGMENT ON THE PLEADINGS**

(WITH DEFENDANTS' CONSENT)

Charles Birnbaum, FASLA, FAAR
President and CEO
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1711 Connecticut Avenue NW, Suite 200
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202-483-0553

Pro Se

2019 JAN 15 PM 4:18

**CORPORATE DISCLOSURE STATEMENT AND
NOTIFICATION OF PUBLICLY HELD AFFILIATES**

Amicus curiae certifies that it is a non-profit corporation organized under 26 U.S.C. § 501(c)(3), has no parent corporation, does not issue stock, and has no publicly held affiliates.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

The Cultural Landscape Foundation respectfully requests leave to file the accompanying *amicus curiae* brief attached as Exhibit A in opposition to the motion to dismiss or for judgment on the pleadings by Defendants City of Chicago and Chicago Park District. Information regarding The Cultural Landscape Foundation is attached as part of the appendix to the brief. Plaintiffs do not oppose this motion and consent to *amicus curiae* filing their brief. The motion should be granted for the following reasons:

1. As the various *amici curiae* noted in their various submissions in support of the Defendant City of Chicago and The Chicago Park District's motion to dismiss Plaintiffs complaint, the Court has broad discretion to permit the filing of an *amicus curiae* brief "when the *amicus* has an interest ... that may be affected by the decision in the present case" or "when the *amicus* has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide." (See, e.g. Docket No. 61, Motion for Leave to File By Eleven Museums In Parks, ¶ 1)

2. This Court granted leave to three groups of *amici curiae*, including eleven Museums in the Parks who provided their support to the Defendants' motion and for the OPC to become the twelfth museum in the park because it is substantially similar in form to the other eleven museums relative to its placement and related arrangements for operation. (See Docket No. 64) Consistent with the allowance of these *amici*, the Court should exercise its discretion and permit The Cultural Landscape Foundation to submit the attached *amicus* in support of the Plaintiffs' opposition to the Defendants' motion and various *amici* filed in support thereof.

3. *Amicus curiae* has strong interests in the case in the same fashion that other *amici* have exhibited, and meet both bases for filing an *amicus curiae* brief. As to the first basis, the Cultural Landscape Foundation has for the last twenty years devoted itself to educate and engage

in the public to make our shared landscape heritage more visible, identify its value, and empower its stewards. Through such efforts, the Cultural Landscape Foundation is very interested in and has followed both the development of museums in parks as well as presidential museums across the United States as part of its mission. As to the separate second criteria, the history and work done by the Cultural Landscape Foundation gives it unique knowledge and perspectives in regards to landscapes generally, placement of museums in landscapes and specifically issues associated with Olmstead landscapes in Chicago and around the country.

4. The Cultural Landscape Foundation agrees with Plaintiffs that Plaintiffs' claims should not be dismissed. *Amicus curiae*'s proposed brief does not duplicate the arguments made by Plaintiffs as why the Court should deny the Defendants' motion to dismiss or judgment on the pleadings. Instead, the proposed *amicus curiae* brief provides the Court various details and context that responds to other *amici briefs* but that have not been discussed and which further support denial of the Defendants' motion.

5. No party or counsel for a party authored this brief in whole or in part, and no person other than *amicus curiae* or its counsel contributed any money to fund its preparation or submission. The *amicus curiae* is not a subsidiary or affiliate of any publicly owned corporation.

6. This motion and attached brief are timely, as it is filed "not later than 7 days after the principal brief of the party being supported is filed." See Fed. R. App. P. 29(a)(6)

7. No party would be prejudiced by the filing of this *amicus curiae* brief. Counsel for Plaintiff has consented to the filing. **Counsel for the Defendants have also provided their consent to the submission of this *amicus* brief.**

For the foregoing reasons, the Cultural Landscape Foundation's motion for leave should be granted, and the *amicus curiae* brief attached as Exhibit A should be filed.

Dated: January 15, 2019

Respectfully submitted,

THE CULTURAL LANDSCAPE FOUNDATION

A handwritten signature in blue ink, consisting of two overlapping loops followed by a horizontal line.

Its President

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EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION

Protect Our Parks, Inc., Charlotte Adelman,)	
Maria Valencia, and Jeremiah Jurevis,)	
)	
Plaintiffs,)	Case No. 18-cv-3424
)	
v.)	Honorable John Robert Blakey
)	
Chicago Park District and City of Chicago,)	
)	
Defendants.)	

**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE* IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO
DISMISS OR FOR JUDGMENT ON THE PLEADINGS**

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**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE*
IN OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS THE CASE**

INTEREST OF *AMICUS CURIAE*

Established in 1998, The Cultural Landscape Foundation (TCLF) is a national non-profit organization based in Washington, D.C., whose dual mission is to educate the public about significant cultural landscapes and to advocate for their informed stewardship. As such, TCLF maintains the nation's most comprehensive database of cultural landscapes and their designers, a vast repository of vetted historical essays, images, and related content, and publishes guidebooks and scholarly volumes in the field of landscape studies.¹ TCLF also provides technical assistance, offers free tours, hosts major conferences and symposia, produces video oral histories, and creates traveling exhibitions. Moreover, TCLF is a recognized authority on the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes*² and frequently submits testimony to municipal governments on the proper stewardship of historic landscapes. The organization also routinely serves as a consulting party to federal-level reviews under the National Historic Preservation Act and the National Environmental Policy Act and is currently acting in that capacity with regard to the reviews now underway for Jackson Park in Chicago, Illinois, the site of the proposed Obama Presidential Center (OPC).

¹ A partial list of publications produced under the auspices of TCLF includes *Shaping the Postwar Landscape: New Profiles from the Pioneers of American Landscape Design Project* (2018); *Mellon Square: Discovering a Modern Masterpiece* (2014); *Lawrence Halprin's Skyline Park* (2012); *Shaping the American Landscape: New Profiles from the Pioneers of American Landscape Design Project* (2009); *Design with Culture: Claiming America's Landscape Heritage* (2005); *Preserving Modern Landscape Architecture II: Making Postwar Landscapes Visible* (2004); *Pioneers of American Landscape Design* (2000); and *Preserving Modern Landscape Architecture: Proceedings from the Wave Hill Conference* (1999).

² Formerly the coordinator of the National Park Service's Historic Landscape Initiative, TCLF's founder, president, and CEO, Charles A. Birnbaum, FASLA, FAAR, was a co-author of the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes*. Mr. Birnbaum's full resume is included here as **Appendix I**.

ARGUMENT

Various organizations and groups have submitted briefs as *Amici Curiae* in support of the Defendants' claims and motion to dismiss. Although certain of those briefs purport "to provide the Court important context" about the so-called 'Park Museums' and other issues that relate to the matter of Jackson Park, they have failed to illuminate for the Court even the most fundamental contextual facts about the historical significance of Jackson Park and its intrinsic value as a locally and, indeed, nationally significant cultural resource. These facts are critical when evaluating claims that the OPC is essentially no different than the other eleven Park Museums, or that the OPC will provide a public benefit, because Jackson Park already represents a unique public benefit that would be substantially diminished should the OPC be built in its proposed location. This submission addresses these previously unaddressed concerns, as well as other omissions or misstatements that need to be corrected for a proper understanding of the context and issues raised in this matter. As currently conceived, the OPC would irrevocably harm Jackson Park, whose "defining characteristics... must be respected," according to an official correspondence³ issued in 2012 by the Illinois Historic Preservation Agency. Thus while the Defendants assert that the OPC would be a public benefit, they do not account for the fact that the OPC would adversely and irrevocably affect Jackson Park, which is demonstrably a unique public benefit in itself. Importantly, proponents of the OPC have already identified an alternate site on Chicago's South Side where the Obama legacy can be celebrated without sacrificing historic public parkland.

³ Here we refer to a letter dated December 10, 2012, (included here as **Appendix 2**) from Deputy State Historic Preservation Officer Anne E. Haaker to the U.S. Army Corps of Engineers in response to the latter's proposal of an Ecosystem Restoration Project in Jackson Park, a project, which, notably, did not seek to add any built structures within the park.

I. The Cultural and Historical Significance of Jackson Park

Jackson Park was listed in the National Register of Historic Places on December 15, 1972. As an internal assessment⁴ by the Chicago Park District outlined, the park is the product of not one, but three historic designs by Frederick Law Olmsted, Sr., the 'father of American landscape architecture.' He and partner Calvert Vaux (the designers of New York's Central Park) first submitted a plan for Jackson Park to the South Park Commission in 1871.⁵ (Chicago's South Park System is today the only intact park system designed by Olmsted and Vaux outside the State of New York). Implementation of the plan was, however, delayed by the Great Chicago Fire until the late 1870s, when the northernmost section of the park (then called Lake Park) was graded, seeded, and planted with trees. When Jackson Park was selected as the setting for the World's Columbian Exposition of 1893, it was once more Olmsted, working with his associate Henry Codman and architects Daniel Burnham and John Welborn Root, who designed the setting of the vaunted 'White City.'

After the exposition closed, a series of fires ravaged the site, beginning in January 1894, leaving a landscape strewn with charred remains. In 1895 the firm Olmsted, Olmsted & Eliot presented a sweeping redesign of Jackson Park that retained "many of the features characteristic of the landscape design of the World's Fair" while providing "all of the recreative facilities which the modern park should include for refined and enlightened recreation and exercise."⁶ Recent scholarship has further highlighted the historical precedence of the 1895 plan, which occupies a special place in the history of landscape architecture. A 2015 article⁷ authored by

⁴ The assessment (included here as **Appendix 3**) was prepared in September 1995 by Julia Sniderman Bachrach, then a staff member of the Chicago Park District's Department of Research and Planning.

⁵ See the *Report to the Chicago South Park Commission Accompanying a Plan for Laying Out the South Park*, by Olmsted, Vaux & Co. (March 1871).

⁶ See *Park and Cemetery*, Vol. 5, No. 2 (April 1895), *s.v.* "Jackson Park, Chicago."

⁷ See O'Donnell, P. and Gregory De Vries, "Entangled Culture and Nature: Toward a Sustainable Jackson Park in the Twenty-First Century," in *Change Over Time*, Vol. 5, No. 2 (Fall 2015), 248-265.

Patricia O'Donnell and Gregory De Vries in the peer-reviewed journal *Change Over Time* makes a convincing case that Jackson Park was perhaps the nation's earliest large-scale brownfield-remediation project-an ingenious and early response to what was in essence an immense brownfield site left in the wake of the fires: "Faced with a massive demolition site, the Olmsted firm ... created soils plans specifying considerable depth of good topsoil in specific areas of trees and shrub planting. As modern-day professionals on the forefront of best practices, we found it astounding to discover that one-hundred-twenty-year-old soils plans, which note two-foot-deep planting areas, guided rebuilding in this brownfield demolition site."⁸

Although some features in Jackson Park have since been modified, the most important aspects of the 1895 plan have endured. Its primary compositional elements-the lake, the fields, and the lagoons-knitted together by a system of roadways (which includes what is now Cornell Drive and Hayes Drive) that affords extended views over relatively level terrain, continue to convey Olmsted's vision for how the park is experienced visually and spatially. That assessment was corroborated by a government study of Jackson Park in 2014,⁹ which recognized that "for the most part, Jackson Park today looks similar to Olmsted's 1895 plan in terms of the placement of lagoons, open fields, and areas heavily planted with trees and shrubs." And while Olmsted's plan was updated in 1905, two years after his death, the new iteration "was based on Olmsted's previous plans and vision for the park."¹⁰

A salient aspect of the 1895 plan that is readily evident today is the prevailing geometry of the landscape surrounding the campus of the Museum of Science and Industry (then called the Field Columbian Museum), which *was already extant* in the park's northern sector. Notably, it is

⁸ O'Donnell and De Vries (2015), p. 252.

⁹ The *Jackson Park Section 506 Great Lakes Fishery & Ecosystem Restoration Study* (2013-2014): made available online and upon request by the U.S. Army Corps of Engineers, Chicago District.

¹⁰ See the *Jackson Park Section 506 Great Lakes Fishery & Ecosystem Restoration Study* (2014), p. 7.

only in that part of the park that the landscape treatment was designed to respond to the presence of built architecture. Here, Olmsted was unmistakably explicit about the design intent, stating that the Field Columbian Museum was meant to be the only "dominating object of interest" in the park: "All other buildings and structures to be within the park boundaries are to be placed and planned exclusively with a view to advancing the ruling purpose of the park. They are to be **auxiliary to and subordinate to the scenery of the park** (emphasis added)."¹¹

TCLF has already written at some length¹² about how the proposed OPC, with its 235-foot-high tower and reconfiguration of the park's circulation system, would irrevocably and adversely affect the character-defining visual and spatial relationships expressed in Jackson Park's historic design. Those claims are based on the National Park Service's *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes*, which outlines the proper treatment of cultural resources that are listed in, or are eligible for listing in, the National Register of Historic Places. Suffice it to add that well prior to the conception of the OPC, the City of Chicago's own *1999 South Lake Front Framework Plan*¹³ concluded that "the original Olmsted design has served [Jackson] park well over time **and should not be compromised by future plans** (emphasis added, p. 13)." Those sentiments were likewise expressed in 2012 in an official correspondence from the Illinois Historic Preservation Agency, the body charged with protecting the State of Illinois' cultural resources, which unambiguously declared that "as currently designed, [Jackson] park retains a great deal of its integrity. While some of the original features have been modified, or removed,

¹¹ The quotation is from a letter dated May 7, 1894, from Frederick Law Olmsted, Sr., to South Park Board president Joseph Donnersberger.

¹² On January 4, 2018, TCLF submitted an official correspondence outlining concerns about the proposed OPC to the City of Chicago's Department of Planning and Development. That correspondence is included here as **Appendix 4**; see especially pp. 5-8.

¹³ The *1999 South Lake Front Framework Plan*, once prominently posted on the Chicago Park District's website (<https://southlakefrontplan.com/about>), has since been removed.

the remaining defining characteristics such as **the overall plan** developed by Olmstead, Olmstead, and Elliot [*sic*] as depicted on the 1905 map **must be respected**. These include, but are not limited to, the Golden Lady statue, the Osaka Garden, the **current roadway configuration**, the beach house, and the configuration of the lagoons" (emphasis added).¹⁴

II. Defendants' Appeal to the Public Interest

The Defendants' memorandum in support of their motion to dismiss (hereafter, "Defendants' Memorandum") and the various briefs of *Amici Curiae* in further support thereof rest heavily on the claim that building the OPC in Jackson Park is unquestionably in the public interest. There are several reasons for the Court to be skeptical of that claim, which is based largely on unsupported, conclusory statements.

Notably, neither the Defendants' Memorandum nor the supporting briefs (specifically, the Brief of Thirteen Presidential Foundations as *Amici Curiae* and the Brief of Eleven Park Museums as *Amici Curiae*) mention the name Frederick Law Olmsted—most remarkable in the case of the latter brief, which was filed jointly by several cultural and historical institutions. Indeed, the Defendants' Memorandum mentions "parkland" some 46 times but never speaks of Olmsted, his historic design, or the National Register of Historic Places, thus giving the Court the impression that the OPC would be built on a *tabula rasa*. Such repeated references to building the OPC on generic "Chicago parkland" (as the Defendants' brief often terms it) are akin to describing plans to remodel the Frank Lloyd Wright Home and Studio as alterations to "Chicago housing." The Defendants' Memorandum also claims that building the OPC would "enhance the park's recreational value" and that Jackson Park would be "revitalized"; but the Defendants offer no data, use studies, or other documentation to indicate that the park's

¹⁴ See Appendix 2.

recreational value is low or that it is underused and in need of revitalization. The failure to recognize Jackson Park as a significant cultural resource that is replete with public benefits—a resource that would be adversely affected if the OPC were built as planned—greatly undermines the Defendants' assertions about the "quintessentially public benefits" the OPC would provide.

The decision to use public parkland for the site of the OPC is very controversial indeed. It is worth recalling that four universities were finalists in the bidding to host the OPC: Columbia University in New York City; the University of Hawaii in Honolulu; the University of Illinois in Chicago; and the University of Chicago. Each of the first three institutions proposed to host the facility on land it owned; but the University of Chicago, which has extensive landholdings on Chicago's South Side, and which is the sixteenth-wealthiest¹⁵ university by endowment in the United States, sought to use public parkland instead of land it owns. It is fair to say that had Columbia University demanded twenty acres of Central Park (also designed by Olmsted and Vaux) to include in its bid, the proposal would have been immediately derided and regarded as ludicrous.

Furthermore, as the Court is aware, the OPC will not be a presidential library as originally planned but rather will be a *presidential center*, and, unlike the actual presidential libraries, it will not be administered by the National Archives and Records Administration (NARA). The OPC will be administered entirely by a private foundation and will thus be a privately run facility whose primary goal is to monumentalize the presidency of Barack Obama. As scholars¹⁶ and journalists have long observed, presidential libraries, let alone a privately administered

¹⁵ See "College and University Endowments: Overview and Tax Policy Options," a report by the Congressional Research Service published May 4, 2018 (available online and by request); wherein the endowment of the University of Chicago is reported as \$7.5 billion for fiscal year 2017, surpassed by only fifteen other universities nationwide, two of which represent "university systems."

¹⁶ See, e.g., Huthauer, Benjamin (2006). *Presidential Temples: How Memorials and Libraries Shape Public Memory*. University Press of Kansas; and see Clark, Anthony (2015). *The Last Campaign: How Presidents Rewrite History, Run for Posterity and Enshrine Their Legacies*. CreateSpace Publishing.

presidential center (whatever that neologism ultimately describes), are deeply ideological places. They are perennially panned as "spin factories and event venues"¹⁷ that bow to the pressures of the private donors who help fund their construction.¹⁸ The typical counter-argument to such criticisms is that while presidential libraries tend to whitewash history, they, at least, provide important repositories for scholarly research; but the OPC, which is reportedly planned to include a test kitchen, recording studio, basketball court, sledding hill, restaurant, and other amenities, will be no such repository, as the physical records and other artifacts of the Obama presidency will be housed at a NARA facility in the greater Kansas City metropolitan area. The primary mission of the OPC will thus be to present and represent a political ideology that many Chicagoans will not count as a benefit and will choose to avoid. Parks, on the other hand, are not intrinsically ideological spaces; they are, as Olmsted envisioned, democratic spaces that accrue to the benefit of all.

The Court should also be aware that the overall economic impact of the OPC on the South Side community is less than certain. While a report produced by the Obama Foundation projected that the OPC would generate some \$2.1 billion in economic impact over the first decade of its operation,¹⁹ there are reasons to be skeptical²⁰ of the long-term projections. And what is more, the question of who will benefit financially and who will lose is one that remains

¹⁷ Isaacs, Deanna. "What's Wrong with Presidential Libraries?" *Chicago Reader*, Feb. 15, 2017.

¹⁸ See Nagourney, Adam. "What's a Presidential Library to Do?" *The New York Times*, Sept. 12, 2011; wherein Mr. Larry Hackman, the former director of the Harry S. Truman Library and Museum, said the following: "The fatal continuing flaw are those private foundations. They will tell you they are a great deal because of all the nonfederal money they are bringing in. In my opinion, there are hidden and in some cases there are some odious strings that come with that money that keep the library directors, no matter how well intentioned they are, from developing certain exhibitions or programs."

¹⁹ See, e.g., "Obama Center to Create \$2.1 Billion in Economic Impact for South Side," *Philanthropy News Digest*, May 15, 2017.

²⁰ See Safo, Nova. "Do presidential libraries really pay off for cities?" *Marketplace*, May 12, 2015; wherein Anthony Clark, a former senior aide in the U.S. House of Representatives who focused on the oversight of the National Archives and presidential libraries, said: "The idea that the [presidential] library creates an economic boost that lasts indefinitely is just not borne out by the numbers. In fact, library attendance, no matter which library ... declines over time."

contentious. In fact, many South Side residents and organizations have formed a coalition²¹ that seeks a Community Benefits Agreement with the OPC, heretofore unrealized. A key concern of the coalition²² is that the construction of the OPC in Jackson Park will result in rising rents and taxes in the wake of gentrification, ultimately displacing a significant portion of the area's working-class residents.

Apropos of those concerns, the choice to place the OPC in Jackson Park has vexed many commentators-even those who support the OPC-because there is extant vacant land available elsewhere on the South Side that manifestly offers a much greater opportunity for community revitalization and economic development,²³ namely the so-called "Washington Park site" at the intersection of 55th and Garfield Streets. The potential for building on the Washington Park site to produce a more positive economic outcome was asserted by none other than the University of Chicago in the very bid package²⁴ it submitted to the Obama Foundation in the hopes of attracting the OPC-a revelation that became public knowledge when the bid package, which had been kept secret even from city staff,²⁵ was finally made public. Notably, the Washington

²¹ The coalition maintains the following website: <http://www.obamacba.org/>

²² See, e.g., Guarino, Mark. "Obama Presidential Center faces pushback from Jackson Park residents." *The Washington Post*, Mar. 23, 2018; wherein Guarino reports: "But while Obama is embraced in his home town, the OPC has become a flash point for many of the issues that the former South Side community organizer once railed against: gentrification, affordable housing, government accountability and transparency. Since it was announced, the OPC has received strong pushback from people who say the Jackson Park location, which borders different neighborhoods, will destroy valuable green space while driving up property values that will displace people who are already living paycheck to paycheck."

²³ See, e.g., "Just why is the Obama Center heading to Jackson Park?" The Editorial Board of *Crain's Chicago Business*, Aug. 3, 2018; wherein "So why, in a city that covers 237 square miles, with plenty of vacant land on the South and West sides, does the Obama Center have to be on 22 acres of public lakefront that isn't near neighborhoods that could use an economic shot in the arm?"

²⁴ See "The University of Chicago Response to Request for Proposal," p. 112: **"Of all the proposed sites, the Washington Park neighborhood is the one with the greatest potential for economic development and growth.** The neighborhood has nearly 270 acres of vacant land and limited existing retail, recreational, and food amenities. The influx of new demand from Presidential Center visitors and the affordability of local properties could spur a significant amount of development near the site to the scale of up to 2,000 new residences and 1.5 million square feet of commercial and community development potential" (emphasis added).

²⁵ See Marek, Lynne. "A challenge to the Obama Center reveals things we didn't know." *Crain's Chicago Business*, July 20, 2018; wherein it is reported that "city staffers never saw [the bid], either, according to Illinois Assistant Attorney General Laura Harter's response to a Freedom of Information Act request."

Park site includes acreage *adjacent to* Washington Park, which would allow the Obama Foundation to build a facility that takes advantage of, but does not encroach upon, historic public parkland. TCLF does not support the use of any portion of Washington Park for OPC facilities, but we would fully support using the adjacent eleven-acre parcel, which, unlike Jackson Park, is conveniently located near a mass-transit station in an area that sorely needs economic investment and revitalization.

CONCLUSION

Jackson Park is a unique cultural resource that has been held in trust for the citizens of Chicago for nearly 150 years. The Illinois Historic Preservation Agency and, until recently, the City of Chicago have insisted that the park's historic design not be compromised by new projects. Although the park remains an irreplaceable part of the legacy of Frederick Law Olmsted, Sr., it is not a monument to Olmsted, nor to any man: it was conceived as a free and open public space for the benefit of all Chicagoans, without regard to race, social status, ethnic background, or political ideology. Were the OPC to be built as planned in Jackson Park, any public benefit the presidential center would bring would be outweighed by the harm done to the park's historic design and the loss of open, democratic space. The unprecedented taking of such historic parkland for use by a private foundation would also send a grim and loud message about the value of the nation's cultural resources that are held in public trust and listed in the National Register of Historic Places.

Respectfully submitted,

THE CULTURAL LANDSCAPE FOUNDATION



President and CEO

**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE* IN
OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS THE CASE**

APPENDICES

Appendix 1: *Curriculum Vitae* of Charles A. Birnbaum

Appendix 2: A letter, dated December 10, 2012, from the Illinois Historic Preservation Agency to the U.S. Army Corps of Engineers regarding a prospective project in Jackson Park

Appendix 3: An historical assessment of Jackson Park prepared by the Chicago Park District in 1995

Appendix 4: A response, dated January 3, 2018, to the City of Chicago from TCLF acting in its capacity as a designated consulting party to the National Historic Preservation Act, Section 106 compliance review and the National Environmental Policy Act (NEPA) review underway for Jackson Park

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

CHARLES ALAN BIRNBAUM, FASLA, FAAR

The Cultural Landscape Foundation 1711 Connecticut Ave NW, Suite 200 Washington DC 20009
202.483.0553 charles@tclf.org

PROFESSIONAL EXPERIENCE

President and CEO, The Cultural Landscape Foundation, Washington, DC. 1998. Founded and incorporated the not-for-profit organization in 1998 with primary emphasis on preserving cultural landscapes through sound stewardship and education practices. Today manages a nationally recognized board, and a staff of ten with an annual budget of \$1.6 million.

Visiting Professor, Columbia University Graduate School of Architecture Planning, Spring 2011 – present

Visiting Critic, Harvard University, Graduate School of Design, 2014-2017 (For Adriaan Gueze of West 8)

Coordinator, Historic Landscape Initiative, National Park Service, Heritage Preservation Services, Washington D.C., March 1992 to April 2007. Created and managed a national program with limited budget. Responsibilities included national policy guidance and the development of standards and guidelines, including *"The Secretary of the Interior's Standards for the Treatment of Historic Properties + Guidelines for the Treatment of Cultural Landscapes"*, conference development and planning, published books and thematic journals, web development, staff management, coordination with federal, national and regional partners and oversight of volunteers.

Glimcher Distinguished Professor, Ohio State University, Columbus, OH, Graduate Studio and Seminar, Landscape Architecture Program, Fall-Winter, 2007

Professor, Professional Development Program, Harvard University, Graduate School of Design, 2001-03.

Instructor, National Preservation Institute, 1999-2008.

Instructor, Part-Time Appointment, George Washington University, Washington, DC, Historic Landscape Preservation Studio, Levels I and II, April 1993 to 1998.

Associate, LANDSCAPES, Landscape Architecture, Planning, Historic Preservation Westport, CT. February 1990 to March 1992. Emphasis on Historic Landscape Architecture and Preservation Planning.

Associate, Walmsley & Company, Inc., New York, NY. September 1984 to February 1990. Managed and or played a key role in a variety of projects where the Landscape Architect is usually the Prime Consultant. Emphasis on Landscape Preservation, Urban Waterfronts, Site and Community Planning and Innovative Inventory, Analysis and Management Methodologies. Associate from June 1987.

College of Environmental Science and Forestry, Syracuse, NY. Senior Urban Design Studio, Visiting Lecture (Spring 1988), Visiting Lecturer (1987-1991), and Off-Campus Student Advisor (Fall 1988).

University of Pennsylvania, School of Landscape Architecture Graduate Studio, Visiting Lecture, Philadelphia, Pennsylvania (Spring 1988).

Consultant: Parks & Recreation, New York, 1986-87. Develop Visitor Maps and User Guides for Van Cortlandt and Pelham Bay Parks, Bronx, New York.

The Office of William B. Kuhl, New York, New York, 1983-1984. Job Captain responsible for the coordination and presentation of projects including parks and plazas, mixed use developments, housing, universities, corporate headquarters and residential sites.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

EDUCATION

Samuel H. Kress Fellow, Rome Prize in Historic Preservation and Conservation, 2004, Rome, Italy

Loeb Fellow, Harvard University, Graduate School of Design, 1997-98. Emphasis on not-for-profit management, new media and education, and historical studies in art, architecture, and native peoples.

State University of New York College of Environmental Science & Forestry, Syracuse, New York and London, England. Bachelor of Landscape Architecture, cum laude, 1983.

State University of New York at Farmingdale. Associate of Applied Science in Ornamental Horticulture, 1978.

FILMS, VIDEO & EXHIBITIONS

Executive Producer and Co-Curator, "Lawrence Halprin: Landscape Architect." Travelling exhibit. Opened November 2016- February 2017, National Building Museum, Washington, D.C., traveling thereafter.

Executive Producer and Project Manager, "William Johnson" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, November 2016.

Executive Producer and Project Manager, "Harriet Pattison" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, April 2016.

Executive Producer and Co-Curator, "The New American Garden: The Landscape Architecture of Oehme, van Sweden." Travelling exhibit. November 2015- May 2016, National Building Museum, Washington, D.C., traveling thereafter.

Executive Producer and Project Manager, "Nicholas Quennell" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, September 2015.

Executive Producer and co-curator, "Dan Kiley: Landscape Architect." Travelling exhibit. Opened November 2013 at the Boston Architectural College; February-May 2014 National Building Museum, Travelling thereafter.

Executive Producer and Project Manager, "Richard Haag" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, May 2014.

Executive Producer and Project Manager, "Laurie Olin" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, October 2013.

Executive Producer and Project Manager, "Joe Yamada" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, January 2013.

Executive Producer and Project Manager, "Shlomo Aronson: Israel's Master Landscape Architect" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, November 2012.

Executive Producer and Project Manager, "Cornelia Hahn Oberlander" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, May 2011.

Executive Producer, "Every Tree Tells a Story," The Cultural Landscape Foundation in concert with American Photo magazine. Photography Exhibit and Outdoor, Interpretive Signboard Exhibition, Washington, DC, November 2010 to present. Venues included Aljira Center for Contemporary Art, Newark, NJ; Long House Reserve, East Hampton, Long Island; Cheekwood Museum and Botanical Gardens, Nashville, TN; 21c Gallery, Louisville, KY; Yew Dell

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Botanical Gardens, Louisville, KY; Campbell House Galleries, Southern Pines, NC; Jay Heritage Center, Rye, NY; National Arboretum, Washington, DC.; Hilltop Arboretum, Baton Rouge, LA; Longue Vue Gardens, New Orleans, LA,

Executive Producer and Project Manager, "James van Sweden" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, March 2009.

Executive Producer and Project Manager, "Lawrence Halprin" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, March 2009.

Executive Producer and Project Manager, "M. Paul Friedberg" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, March 2009.

Executive Producer, "Heroes of Horticulture" The Cultural Landscape Foundation in concert with the US Botanical Gardens, Outdoor Interpretive Signboard Exhibition, Washington, DC, November 2008-May 2010.

Executive Producer, "Marvels of Modernism" The Cultural Landscape Foundation in concert with the George Eastman House International Photography + Film Museum, Rochester, NY, November 2008-January 2009 and travelling thereafter for three years.

Executive Producer and Project Manager, "Edward Daugherty" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, December 2007. Reprogrammed as an educational kiosk in the Edward L. Daugherty exhibition at the Atlanta History Center, October 2008-March 2009.

Executive Producer, "Heroes of Horticulture" The Cultural Landscape Foundation in concert with the George Eastman House International Photography + Film Museum, Rochester, NY, November 2007-January 2008 and travelling thereafter for three years.

Executive Producer, "Carol R. Johnson" *Pioneers of American Landscape Design* oral history module, The Cultural Landscape Foundation, December 2007.

Executive Producer, "Modern Garden Icons," Interactive CD-ROM and web site aimed at middle school audience. The Cultural Landscape Foundation. Distribution in partnership with ASLA and others, 2006.

Executive Producer, "City Shaping: The Olmsteds and Louisville, KY." Interactive CD-ROM and web site aimed at middle school audience. The Cultural Landscape Foundation. Distribution in partnership with ASLA and others, 2006.

Executive Producer, "The Prairie Idealized: Columbus Park, Chicago, IL." Interactive CD-ROM and web site aimed at middle school audience. The Cultural Landscape Foundation. Distribution in partnership with the ASLA and others, 2003.

Executive Producer, "Connections: Preserving America's Landscape Legacy." A one-hour film narrated by Angela Lansbury with a total budget of \$750,000. Cosponsored by the National Park Service, the American Society of Landscape Architects, The Garden Conservancy and over thirty additional sponsors. Gina Angelone, Director, 1996.

Curator and author. "Samuel Parsons, Jr. and the Art of Landscape Architecture." A travelling exhibition sponsored by The Catalog of Landscape Records at Wave Hill. Opened December 1994 at Wave Hill and traveled thereafter to: The Arsenal at Central Park to September 1995; The Arnold Arboretum, Cambridge, MA, to February 1996; The Melon Library in Pittsburgh, PA, winter 1996; Haverford College, Haverford, PA, fall 1997 and the San Diego Historical Society at Balboa Park, San Diego, CA, Spring-Fall 1998.

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CONFERENCE DEVELOPMENT AND PLANNING

Leading with Landscape IV: Transforming North Carolina's Research Triangle, the City of Raleigh, North Carolina Museum of Art, and the Dix Park Conservancy, April 2018.

Landscape as Catalyst: Lawrence Halprin's Legacy and Los Angeles in concert with the A+D > Museum, Los Angeles, November 2017.

Leading with Landscape III: San Antonio's Brackenridge Park in concert with the Brackenridge Park Conservancy, the City of San Antonio and others. San Antonio, TX, March 2017.

Leading with Landscape II: The Houston Transformation, Houston Museum of Fine Arts, in concert with the Houston Parks Board, Uptown Houston, Rice Design Alliance, and others. Houston, TX, May 2016.

Second Wave of Modernism III: Leading with Landscape, Toronto, ON, in concert with the City of Toronto, Ryerson University and the University of Toronto. Held at the Isabel Bader Theatre, May 2015.

The Nature Culture Divide III: Saving Nature in a Humanized World, The Presidio of San Francisco, in concert with The Presidio Trust, Golden Gate National Parks Conservancy, National Park Service, San Francisco, CA, January 2015

Civic Horticulture, a national symposium on plants, city shaping and place making. In concert with the Pennsylvania Horticulture Society, Philadelphia, PA, May 2013.

The Nature Culture Divide II: The Central Park Woodlands, in concert with The Central Park Conservancy, The Museum of the City of New York, New York City, NY, October 2012

Second Wave of Modernism II: Complex Landscapes. The Museum of Modern Art, New York, NY, November 2011.

Shaping the American Landscape. Ten regional conferences between October 2009 and April 2011. Held in concert with the publication of the same title. Venues include: New York Botanical Garden, Bronx, NY; Cheekwood Botanical Garden, Nashville, TN; University of California at Berkeley; Chicago Architecture Foundation; Pittsburgh Parks Conservancy/Andy Warhol Museum; Preservation Dallas/Dallas Museum of Art; Historic New England; Atlanta History Center and the Los Angeles Conservancy.

Designing the Parks: Part I and II, Charlottesville, VA and San Francisco, CA. May and December 2009. Multiple partners including the National Park Service, University of Virginia, Golden Gate Parks Conservancy and the Van Alen Institute.

The Second Wave of Modernism in Landscape Architecture, cosponsored with The Chicago Architecture Foundation, Illinois Institute of Technology, University of Illinois and the ASLA, November 2008.

Landscape and Patronage. Cranbrook College of Art, Bloomfield Hills, MI, sponsored by The Cultural Landscape Foundation, *House & Garden* magazine, the Historic Landscape Initiative, November 2006.

Mission Impossible: Embracing a Historic Property's Continuum and Expanding the Message. Convened at Gunston Hall, Mason Neck, VA, sponsored by the National Park Service Historic Landscape Initiative and the Cultural Landscape Foundation. Support provided by The Garden Club of Virginia, July 2003.

Future with a Past: Design, Planning and Management of Historic Campuses, Minneapolis, MN. The University of Minnesota, Minnesota Historical Society, The National Park Service Historic Landscape Initiative and the Cultural Landscape Foundation, October 2002.

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Celebrating America's Historic Parks: Connecting the Past with the Future, Fort Wayne, IN. The Friends of the Parks of Allen County, the Cultural Landscape Foundation and the National Park Service Historic Landscape Initiative, September 2002.

Preserving Modern Landscape Architecture & Making Post War Designs Visible, The Cultural Landscape Foundation, The National Park Service Historic Landscape Initiative, The Catalog of Landscape Record, The New York Landmarks Conservancy and Columbia University, May 2002.

A Symposium on the Historic Estate Landscape & Its Interpretation for Future Generations, The Speed Museum, Louisville, KY. River Fields, The Cultural Landscape Foundation and The National Park Service Historic Landscape Initiative, January 2001.

Pioneers of American Landscape Design: Book Launch and Symposia. Wave Hill, New York City, NY. The Catalog of Landscape Records in the United States at Wave Hill, The National Park Service Historic Landscape Initiative and the Cultural Landscape Foundation, New York City and Chicago, IL 2000-01.

If Only We Knew: Landscape Preservation in Context, 1890-1950, sponsored by the National Park Service, the Catalog of Landscape Records in the United States at Wave Hill, and the Garden Clubs of America, New York, NY, 1999.

Developing K-12 Educational Tools for Cultural Landscapes. A workshop to develop interactive learning tools for eight regional landscapes. Sponsored by Harvard University Graduate School of Design, the ASLA, and the Teaching With Historic Places Program, Spring 1998.

Images, Myths and Identity: Interpreting Historic Places in Britain and the United States. Co-sponsored by The University of York, The Society for the Interpretation of Britain's Heritage and the National Park Service, 1997.

Exploring American Design in Planned Communities. Co-sponsored by the National Park Service, National Association for Olmsted Parks, The National Trust and the American Planning Association, Chicago, IL, 1996.

Preserving Modern Landscape Architecture. Co sponsored by the Catalog of Landscape Records in the United States at Wave Hill, American Society of Landscape Architects and the National Park Service, New York City, NY. 1995.

Balancing Natural and Cultural Issues in Historic Landscapes. Sponsored by the US Forest Service, the National Association for Olmsted Parks, the National Park Service and the George Wright Society, at the Biltmore Estate, Asheville, North Carolina, 1995.

A Reality Check for Our Nation's Parks. Sponsored by the National Trust for Historic Preservation, the National Association for Olmsted Parks and the National Park Service, St. Louis, MO, 1993.

The Landscape Universe: Historic Designed Landscapes in Context, Co sponsored by the Catalog of Landscape Records in the United States at Wave Hill, American Society of Landscape Architects and the National Park Service, New York City, NY. 1993.

Historic Landscape Preservation Symposiums for the American Society of Landscape Architects: Chicago Illinois (1993); Washington D.C. (1992); Kansas City, MO (1991) and, San Diego, CA (1990).

SELECTED AWARDS AND HONORS

2017 ASLA Medal (the profession's highest honor from the American Society of Landscape Architects).

2017 Honor Award in Communications, American Society of Landscape Architects, for "The Landscape Architecture

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of Lawrence Halprin”

2016 Award of Excellence in Research and Communications, American Society of Landscape Architects, for “What’s Out There City Guides”

2015 Honor Award in Research and Communications, American Society of Landscape Architects, for “Modern Landscapes: Transition and Transformation Series” Princeton Architectural Press.

2014 Award of Excellence in Communications, American Society of Landscape Architects, for “The Landscape Architecture of Dan Kiley”

2012 Honor Award in Communications, American Society of Landscape Architects, for “What’s out There?”

2011 Service Award, The New York Chapter of the American Society of Landscape Architects.

2011 Honor Award in Communications The American Society of Landscape Architects for “Landslide 2004-1010: The First Six Years.”

2011 Honor Award in Analysis and Planning The American Society of Landscape Architects for “Dignity of Restraint: A Historic Landscape Preservation Study for the University of North Carolina at Chapel Hill” with Hoerr Schaudt Landscape Architects.

2010 Award of Excellence in Communications, American Society of Landscape Architects, 2010.

2009 President’s Medal, The American Society of Landscape Architects, presented by Angela Dye, FASLA

2009 Honor Award for Excellence in Planning for Preservation. Society of College and University Planners (SCUP) for *Dignity of Restraint, a Historic Landscape Framework Plan* for University of North Carolina at Chapel Hill (UNC) with Hoerr Schaudt.

2007 LaGasse Medal, American Society of Landscape Architects for Public Service.

2007 Honor Award in Communications, American Society of Landscape Architects for The Cultural Landscape Foundation’s Cultural landscapes as Classrooms Series.

2005 California Preservation Foundation, California Preservation Award, Cultural Resources Category, University of California, Berkeley -Landscape Heritage Plan, Sasaki Associates.

2004 Rome Prize in Historic Preservation & Conservation

2002 Golden Anvil, Casa del Herrero Foundation for Work in Landscape Preservation.

2001 Merit Award, American Society of Landscape Architects for Pioneers of American Landscape Design to the Historic Landscape Initiative, Library of American Landscape History, Catalog of Landscape Records at Wave Hill and the Cultural Landscape Foundation.

2000 Merit Award, American Society of Landscape Architects for the on-line technical series, Cultural Landscape Currents to the Historic Landscape Initiative and the Cultural Landscape Foundation

2000 Presidents Award, American Society of Landscape Architects to Spacemaker Press for their Land Marks Series. “Preserving Modern Landscape Architecture” edited by Charles A. Birnbaum was part of the award package (Landmark No. 10)

1997 Merit Award, American Society of Landscape Architects, for the film, “Connections: Preserving America’s

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Landscape Legacy," to the Historic Landscape Initiative.

1997 Merit Award, American Society of Landscape Architects, for the "Guidelines for the Treatment of Cultural Landscapes," to the Historic Landscape Initiative.

1996 Appointed Fellow by the American Society of Landscape Architects.

1995 President's Award of Excellence, American Society of Landscape Architects, the Historic Landscape Initiative, 1992-1995.

1994 Honor Award, American Society of Landscape Architects, Connecticut Chapter, Cultural Landscape Report, Vanderbilt Mansion National Historic Site, Hyde Park, N.Y.

1994 Landscape Architecture Magazine, Residential Design Awards, Honorable Mention, "Albemarle Park and Samuel Parson's Vision", Author, Asheville, North Carolina

1993 Planning Award, Connecticut Trust for Historic Preservation, Hartford Parks Master Plan, Associate, LANDSCAPES.

1992 Honor Award, American Society of Landscape Architects, Connecticut Chapter, Hartford Parks Master Plan, Hartford, CT. Associate, LANDSCAPES.

1992 Honor Award, American Society of Landscape Architects, Connecticut Chapter, Downing Park Projects, Newburgh, New York, Associate, LANDSCAPES.

1992 Public Service Award, National Capital Planning Commission, Contributions to the comprehensive planning of the Nation's Monumental Core.

1992 Griffin Award, Preservation Society of Asheville and Buncombe Counties, "Albemarle Park and Samuel Parson's Vision", Author, Asheville, North Carolina

1992 National Endowment for the Arts, Federal Design Achievement Award, ASLA HPOC

1991 American Planning Association, Mission San Luis Rey Charette Project, ASLA Historic Preservation Open Committee, Oceanside, California.

1991 New York State Preservation League, Preservation Award, Downing Park Preservation Planning Reports, 1988-1991, Patricia M. O'Donnell, ASLA, APA, Charles A. Birnbaum, ASLA and David Schuyler, Historian.

1990 Whittingham Streetscape, Honor Award, New Jersey Chapter, American Society of Landscape Architects, Project Director.

1989 Springside Landscape Restoration, Merit Award, American Society of Landscape Architect Professional Awards Program, Project Director.

1989 Syracuse Historic Landscape Resources Survey, Preservation League of New York State, Public Trust Award, Project Director.

1987 Master Plan for Preservation, Town of Guilford, Connecticut, Merit Award Assistant Landscape Architect.

1985 Druid Hill Park Master Plan, Walmsley/Graham Joint Venture, Baltimore, Maryland, sponsored by Parks and People and Sugarloaf Regional Trails, Assistant Landscape Architect.

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SELECTED PUBLICATIONS AND ARTICLES

Contributor to The Huffington Post with an ongoing blog, January 2010 – present.

"Boundary Expansion," in *The New Landscape Declaration: A Call to Action for the Twenty-First Century*. Rare Bird Books and the Landscape Architecture Foundation, 2017, pp. 60-64.

"A Park Full of Ideals," Parting Shot in *Modernism* magazine, Winter 2016, p. 112.

Introduction for, *The Blue Garden: Recapturing an Iconic Newport Landscape*, published by Redwood Library and Athenaeum, 2016.

"Opinion: Disparity in the Values Assigned to Architecture and Landscape Architecture Continues," *Dezeen* magazine, 31 March 2016.

"Wild Thing: You Make My Heart Sing," Introduction to, *The Cultivated Wild: Gardens and Landscapes* by Raymond Jungles, Monicelli Press, October 2015, p. 8-9.

"The Crisis of Context" *Landscape Architecture* magazine, September 2015, Vol 105, No. 9, pp. 145-151.

Afterword for, *Wrestling with Angels and Singing with Dragons The Making of a Garden Across 45 Years* published by the author, William H. Frederick, Jr., 2015, pp. 473-476

"Comment: On The National Significance of the Frick's Page Garden," *The Architect's Newspaper*, 04 March 2015.

"Urban Pedestrian Malls." *Paisajismo Landscape Architecture*, Vol. 029, Spain, 2014. pp. 76-77.

"Is the MoMA Sculpture Garden Doomed?" *Architect* February 12, 2014

"Modern Landscape Architecture: Presentation and Preservation" *Forum Journal*. Winter 2013, Vol. 27, No. 2, 47 pp. Guest editor.

"Why Not Cultural Systems?" *Harvard Design Magazine*, No. 36 *Landscape Architecture's Core*, 2013

Modern Landscapes: Transition and Transformation. Series editor, Princeton Architectural Press. Volume One: *Lawrence Halprin's Skyline Park* by Ann Komara (August 2012) and Volume Two: *Mellon Square: Discovering a Masterpiece* by Susan M. Rademacher (2015).

"Charles Birnbaum on the Future of Landscape Architecture," *Dwell*, March 2013

"We've Been Robbed" *Landscape Architecture* magazine, February 2012, Vol 102, No. 2, pp. 184.

Introduction, "Paradise Made Visible" for *Private Paradise: Contemporary American Gardens* by Charlotte Frieze, Monicelli Press, October 2011

"Museum Stomping Grounds," *The Architects Newspaper*, June 16, 2010 Charles A. Birnbaum.

Shaping the American Landscape: New Profiles from the Pioneers of American Landscape Design Project. Charles A. Birnbaum and Stephanie Foell, editors. University Press of Virginia, 2009.

"Cultivating Appreciation," *Dwell*, September 2007, pp. 196-200.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

"In Defense of Open Space: How focal points and pavement are ruining America's parks." *Historic Preservation*, September/October 2005, Vol. 57, No. 5, pp. 38-39. Reprinted in *Revitalization*, a journal of the AIA, January 2006.

Design with Culture: Reclaiming America's Landscape Heritage. Charles A. Birnbaum and Mary V. Hughes, editors. University Press of Virginia 2005.

"Philosophies for Cultural Landscapes and Historic Preservation." *Preservation Forum*, Vol. 19, No. 3, Spring 2005, pp. 4-14.

"Reclaiming a Lost Legacy: The Challenge of Preserving the Postwar Era's Invisible Gardens." *Common Ground*. Summer 2004, pp. 10-15.

Making Post War Landscapes Visible: Preserving Modern Landscape Architecture II. Spacemaker Press. Charles A. Birnbaum, editor 2004.

"Preserving and Interpreting Modern Landscape Architecture in the United States: Recent Developments (1995-2001)." *World Heritage Papers 5: Identification and Documentation of Modern Heritage*. UNESCO World Heritage Center, Paris, France, 2003, pp. 25-32.

"Dual Vision: Can We Be Preservationists and Designers?" *Land Forum: The International Review of Landscape Architecture, Garden Art, Environmental Planning and Urban Design*. No. 13, 2002, pp. 25-28.

"Treatment of Cultural Landscapes in the United States." *Historic Cities and Sacred Sites, Cultural Roots for Urban Futures*. The World Bank, 2001, pp. 218-230.

"Contemporary Landscape Architecture For Western Living: Preserving and Interpreting an Invisible Landscape Legacy," *Preservation Forum*, Fall 2000.

Pioneers of American Landscape Design: A Biographical Dictionary, McGraw Hill Publishers, New York. The National Park Service Historic Landscape Initiative with the Library of American Landscape History, 2000, 486 pp.

"Preserving and Interpreting the Legacy of Thomas Dolliver Church," *Studies in the History of Gardens & Designed Landscapes*, Vol. 20, No. 2, April-June 2000, pp. 181-191.

Preserving Modern Landscape Architecture, Spacemaker Press, with support from The Graham Foundation. Edited by Charles A. Birnbaum, 1999. 84 pp.

Book Review: "The Rebirth of Bryant Park in New York City," *Land Forum*, 03, 1999 pp. 38-40.

"Samuel Parsons, Jr., Landscape Architect", Individual entry by Charles A. Birnbaum for the *American National Biography*, Oxford University Press, 1997.

Guidelines for the Treatment of Cultural Landscapes, National Park Service, Heritage Preservation Services. 1996, 188 pgs.

"Surveying the Field," in *Landscape Architecture*, April 1996, pp. 36-43

"Balancing Nature and Culture in the Preservation of Historic Landscapes," a Thematic Issue of *The George Wright Forum*, Edited by Charles A. Birnbaum and Sandra L. Tallant. Vol. 13, No. 1, 1996, 104 pgs.

Pioneers of American Landscape Design II: An Annotated Bibliography, NPS, Preservation Assistance Division, Editor and Project Director. September 1995, 184 pgs.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

Making Educated Decisions: A Landscape Preservation Bibliography. Edited by Charles A. Birnbaum and Cheryl Wagner. U.S. Department of the Interior, National Park Service Cultural Resources, Preservation Assistance, September 1994, 160 pgs.

Preservation Brief #36; Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes. U.S. Department of the Interior, National Park Service Cultural Resources, Preservation Assistance, September 1994, 20 pgs.

The Landscape Universe: Historic Designed Landscapes in Context, Edited by Charles Birnbaum with a paper contribution. The National Park Service with the Catalog of Landscape Records in the United States at Wave Hill, 1994, 120 pgs.

Thematic Issue, CRM. Focus on Landscape Interpretation. Edited by Charles Birnbaum and Robert Page, July 1994, 48 pgs.

"Preserving Contemporary Landscape Architecture: Is Nothing Permanent But Change Itself" Landscape Architecture, May 1994.

"Cultural Landscape Preservation: New Challenges for Honesty and Accuracy," Traditional Building News, April 1994, pp. 34-37.

"National Park Service and US/ICOMOS Representatives Learn From Preservation Efforts in Poland," LAND, March 1994, p.3-4.

Pioneers of American Landscape Design: An Annotated Bibliography, NPS, Preservation Assistance Division, Editor and Project Director. September 1993, 160 pgs.

"Prospect: Accessibility Need Not Spell Ruination for Historic Landscapes", Landscape Architecture, Charles A. Birnbaum and Sharon Park, June 1993.

Thematic Issue, Preservation Forum, National Trust for Historic Preservation, with additional funding from the Hubbard Education Trust, editor and contributing author, May/June 1993.

"Making Historic Landscapes Accessible" in Preservation Brief #32: Making Historic Properties Accessible, 1993, pp. 10-11.

"Environment and Sustainable Development: History in the Making" LAND, Volume 35, No. 4, July/August 1993, pp. 4-5.

"A Reality Check for Our Nation's Historic Parks", Charles A. Birnbaum, editor and contributing author, CRM: Cultural Resource Management, April 1993.

"Volunteers: A Resource", Landscape Architecture, March 1993, pp. 58-59.

"Making Educated Decisions on the Treatment of Historic Landscapes", APT Bulletin, Volume XXIV, No. 3-4, 1992, pp. 42-51.

Guidelines for the Treatment of Historic Landscapes (Draft), Contributor, National Park Service, Preservation Assistance Division, 1992.

"Preserving the Hermitage Landscape", Conference Proceedings, The Garden Conservancy, Fall, 1992.

America's Landscape Legacy Brochure, NPS Preservation Assistance Division with ASLA and partial funding from the National Trust and the American Battlefield Protection Program, October 1992.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

Developing a Rehabilitation Planting Plan for a Historic Designed Park, Charles A. Birnbaum, ASLA. A Workbook commissioned by the National Association of Olmsted Parks, funded by the Warhol Foundation, Summer 1992.

"The Greenway For Tomorrow", 1989 International Greenway Conference Proceedings, The Appalachian Consortium, 1992.

Albemarle Park and Samuel Parson's Vision, Charles A. Birnbaum, Albemarle Park Manor Grounds Association, Asheville, North Carolina, 1991, pp. 41-63.

Landscape Design Guidelines for Albemarle Park, Charles A. Birnbaum, Historic Resource Commission of Asheville and Buncombe County, Asheville, North Carolina, 1991.

"Historic Landscape Survey in Syracuse, N.Y. Heralded as Model", National Trust for Historic Preservation, FORUM Newsletter, May 1990.

"Interpreting the Schuylkill", Schuylkill River News, Winter 1989.

"Syracuse Initiates Landscape Survey", Preservation League Newsletter, p. 8-9, Fall 1989.

"Analysis & Planning: Designed Historic Landscapes", Make No Little Plans; Handbook of Abstracts for the 1989 Conference of the Association of Applied Preservation Technology, Chicago, Illinois, 1989.

SELECTED CONSULTANT REPORTS

Suggestions and Strategies for Brackenridge Park, San Antonio, TX, May 2016.

Capitol Park Towers: Preliminary Landscape Recommendations for a Dan Kiley Designed Landscape, Washington, D.C., November 2015.

Managing Change at Innisfree: Preliminary Recommendations for a Nationally Significant Cultural Landscape, Millbrook, NY, August 2015.

White Paper: Cheekwood Botanical Gardens, Nashville, TN, 2015.

Technical Review for the Smithsonian Institution's South Mall Campus' Cultural Landscape Report, Washington, D.C., March 2015.

Technical Review for a Proposed Welcome Center for the Breakers in Newport, RI, August 2013.

Santa Barbara Botanical Gardens: Cultural Landscape Guidelines. Consultant to Van Atta Associates, June 2012.

The Village Green/The Green Village, a white paper on guiding change at the National Historic Landmark, Baldwin Hills Village in Los Angeles, CA, January 2012.

Managing Change at Peavey Plaza, Minneapolis, MN: A Foundation for Change and Preliminary Guidelines, Consultant to Oslund and Associates, March 2011.

Managing Change at Olana, the picturesque estate of Frederic Edwin Church, Hudson, New York, Strategic White Paper, January 2011.

Managing the Historic Designed Landscape of Sunnylands, Palm Springs, CA: Strategic White Paper. Sunnylands Foundation, January 2010.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

The Dignity of Restraint: A Study to Preserve and Enhance the University of North Carolina's Majestic Tree Landscape in Chapel Hill, Hoerr Schaudt Landscape Architects, Charles A. Birnbaum, 2008.

Kitting a Cottage, Campus, Community Collage, Reynolda Museum, Winston-Salem, N.C., Strategic White Paper, 2008.

Cranbrook Cultural Landscape Report, Bloomfield Hills, MI, Sasaki Associates with the University of Michigan School of Natural Resources, October 2005.

University of California at Berkeley, Cultural Landscape Report, Sasaki Associates, 2003.

LANDSCAPES, Patricia M. O'Donnell, Charles A. Birnbaum and PRE/view, Stuart Sachs, with consultants David Schuyler, Theodore Haskell, Christopher Greene, *Hartford Parks Master Plan*, for the City of Hartford, March 1992.

Birnbaum, Charles A., *Van Cortlandt Mansion and Grounds, Bronx, New York, Preservation Needs Assessment*, New York City Parks & Recreation, Historic House Trust, 1992.

LANDSCAPES, Patricia M. O'Donnell, Charles A. Birnbaum with Cynthia Zaitzevsky, *Historian Vanderbilt Mansion National Historic Site, Cultural Landscape Report: History, Existing Conditions, Analysis*, for NPS, North Atlantic Region, 1992.

LANDSCAPES, Patricia M. O'Donnell, Charles A. Birnbaum, *Zane Grey Family Retreat, Preliminary Cultural Landscape Assessment*, for NPS Mid-Atlantic Region, Upper Delaware Scenic and Recreational River and Short and Ford Architects.

LANDSCAPES, Patricia M. O'Donnell and Charles A. Birnbaum, *Eagle's Nest, the Estate of William Kissam Vanderbilt II, 1910-1944, Historic Landscape Report and Preservation Phasing Plan*, The Vanderbilt Museum, Centerport, New York, 1990.

LANDSCAPES, Patricia M. O'Donnell and Charles A. Birnbaum, *Rehabilitation of Martin Luther King Park Pool, Buffalo, New York, Historic Landscape Research and Existing Historic Fabric Report*, Department of Community Development, Buffalo and Reimann.Beachner Partnership, 1990.

LANDSCAPES, Patricia M. O'Donnell and Charles A. Birnbaum, *Guidelines for the First Priority Rehabilitation Project: Polly Pond and Surrounding Landscape, Vegetation Guidelines: Management and Renewal, Schematic Design Guidelines: Built Elements and Furnishings, Management Plan: History Alternates and Proposal*, Andrew Jackson Downing Memorial Park, Newburgh, New York, Downing Park Planning Committee, 1990.

The First Historic Landscape Report for the Perimeter, Prospect Park, Brooklyn, New York, Walmsley & Company, December 1989 (final draft).

Whittingham Streetscape, a detailed community design manual, Fall, 1989.

Syracuse Historic Landscape Management & Maintenance Guidelines, Draft, August 1989.

Emerald Necklace Master Plan, Olmsted Historic Landscape Program, Boston Massachusetts, June 1989 (final draft).

Syracuse Historic Landscape Resources Survey, Syracuse, New York, April 1989.

Springside National Historic Landmark, Poughkeepsie, New York, April 1989.

Fairmount Waterworks Interpretive Esplanade, A Guide for Future Planning & Implementation, 1988.

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Long Range Guidelines and Design Improvement Program for Lake Washington Boulevard: Working Papers, EDAW, Inc. with Walmsley & Company, Inc. 1988.

The First Historic Landscape Report for the Ravine, Prospect Park, Brooklyn, New York, 1986.

East River Esplanade, Area 2: 103rd - 125th Streets, New York City, and East River Esplanade, Area 1: 59th - 72nd Streets, New York City, 1985.

City Hall Park, New York, "Planning for the Future of a Historic Landscape", September 1985.

SELECTED CONFERENCE PAPERS AND PRESENTATIONS

Annual Alumni Lecture, "Design with Culture," Michigan State University, September 2017.

Keynote, Regional ASLA Annual Meeting, "Authenticity and YOU," Austin, TX, April 2017.

Landscape Architecture Lecture Series, Rhode Island University, "Design, Historic Preservation and Cultural Landscapes," Bristol, RI, April 2017.

Panel Discussion exploring Modernist Insertions in Public Landscapes, AIA New York City, April 2017.

Joint presentation with Laurie D. Olin, FASLA, "Lawrence Halprin: Personal Reflections and a Strategy to Safeguard the Legacy," National Building Museum, Washington, DC, February 2017.

"Why Not Cultural Systems" University of Guelph, Landscape Architecture program, Guelph, Canada, November 2016.

Keynote Speaker, Amersfoort, Holland, "Dynamic Culture in Our Parks" September 2016.

Landscape Pleasures 2016, The Parrish Art Museum, Water Mill, NY, 11 June 2016.

Plenary Keynote, Parks Without Borders: Ideas for the Next Generation of Urban Parks and Public Space, Tishman Auditorium, The New School, NYC, NY, 24 May 2016.

Opening Plenary Address: Leading with Landscape II: The Houston Transformation, Houston Museum of Fine Arts, March 2016.

Balboa Park Centennial Lecture Series: Balboa Park and the Future of Urban Cultural Parks, San Diego History Center, 17 September 2015

Opening Plenary Address: Second Wave of Modernism III: Leading with Landscape, Toronto, ON, Isabel Bader Theatre, May 2015.

The Influence of the Italian Villa Landscape on Garden Design and Landscape Preservation in America, Vizcaya, Miami, FL, May 2015.

Keynote Speaker, Garden Club of America Annual Meeting, Rochester, NY, May 2015

Opening Plenary Address: The Nature Culture Divide III: Saving Nature in a Humanized World, The Presidio of San Francisco, San Francisco, CA, January 2015.

Opening Plenary Address: Civic Horticulture, Philadelphia, PA, May 2013.

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Opening Plenary Address: The Nature Culture Divide and the Central Park Woodlands, New York City, NY, October 2012.

The Italian Design Influence on the American Country Place Era Estate Landscape, Hillwood Museum and Gardens, Washington, D.C. May 2012

Keynote Address, Garden Week, Cummer Museum of Art, Jacksonville, FL, March 2012

Opening Keynote: Historic Preservation, Design and Civic Ambition, Historic Districts Council, New York City, NY, March 2012.

An American Perspective on Cultural Landscapes, Design and Historic Preservation. The Technion Univeristy, Haifa, Israel, December 2011.

Keynote Address for SCUP (Society of College and University Professionals): Managing Change at our Historic University Campuses, Washington, D.C. November 2011.

The Second Wave of Modernism in Landscape Architecture, the Museum of Modern Art, New York City, NY November 2011.

Modernism and Postmodernism in Los Angeles, Opening Address for Shaping the American Landscape Regional Conference, SciArch, Los Angeles, CA, May 2011.

Paul Bayard Memorial Lecture, Columbia University, April 2010.

Keynote Address, Garden History Society of the United Kingdom, Liverpool, UK, July 2008.

Jane Silverstein Ries Memorial Lecture, Denver, CO, April 2007

Bradford Sears Memorial Lecture, College of Environmental Design & Forestry, Syracuse, NY, March 2007

Change, Continuity & Historic Preservation, Chautauqua Summer Lecture Program, Chautauqua, NY

Cultural Landscapes: Balancing Change, Continuity and Patronage. Isabella Stewart Gardner Museum, Boston, MA, April 2006.

The Influence of the Italian Villa on the American Country Place Era Garden and What This Means to their Management Today. Frankliniana Lecture, Keynote, South Eastern Flower Show, Atlanta, GA, 2006.

Cultural Landscapes, Continuity and Civic Ambition, Cincinnati Museum of Art, November 2005

The American Academy Experience as a Progenitor of a Nature-Culture Stewardship Ethic, Rome Italy, September, 2005

Keynote Address: The Waterfront Center, Annual Meeting, Milwaukee, WI. "Landscape Preservation, Authenticity and our Nation's Waterfronts," October 2004.

Plenary Address: National Trust for Historic Preservation, Louisville, KY. Reflections on twenty years of practice, October 2004

Keynote Address: Can Authenticity and Economics Meet along America's Main Streets, State Preservation Conference, Santa Rosa, CA, May 2002.

Keynote Address: Moving Beyond the Picturesque, Landscape Preservation Post-Fred (Olmsted), State Preservation

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Conference, Massachusetts Historical Commission, Amherst, MA, April 2002.

Preserving Modern Landscape Architecture in America, Invitational Meeting, UNESCO World Headquarters, Paris, France, September 2001.

Two-Day Workshop: Protecting Cultural Landscapes. Developed and ran intensive two day course on subject. Washington, DC (1999); Los Angeles, CA (2000) and Providence, R.I. (2001)

Preserving Cultural Landscapes: Overview of American Strategies and Typologies, Lisbon, Portugal, 2001.

Design with Culture: The Colonial Revival and Landscape Architecture, University of Virginia, 2000.

Preserving Mid Western Landscape Architecture, Lecture and Mobile Workshop, Chicago, IL, 2000.

Strategies for Preserving Cultural Landscapes, at the Group for Integral Development, Havana, Cuba, 1998.

Preserving the Landscape Legacy of Thomas Dolliver Church, University of California at Berkeley, 1998.

Olmsted Outside of the Subject Matter: A Critical Analysis of the Viewing Olmsted Exhibition, Harvard University Graduate School of Design in concert with the Wellesley Museum, 1997.

Preserving Modern Landscape Architecture, Lecture and Panel Discussion sponsored by the Municipal Arts Society, New York, 1997.

Protecting Cultural Landscapes, three regional papers sponsored by the Alliance for Landscape Preservation in Memphis, TN; Salt Lake City, UT; and, Omaha, NE, 1997.

The Future of the California Landscape, a lecture sponsored by the California Preservation Foundation, Los Angeles, CA, 1996.

American Strategies for Landscape Preservation, Porto, Portugal, 1995.

Preserving Traditional Cultural Landscapes, Honolulu, Hawaii, 1995.

Balancing the Treatment of Historic Landscapes and Landscape Archaeology Concerns, Session Manager, Strawberry Hill, Twickenham, U.K., 1995.

"Preserving Modern Landscape Architecture," at Preserving the Recent Past, Chicago, Illinois, 1994.

"The Preservation of Landscapes in Relationship to Other Historic Resources," Restoration 93, Boston, MA, 1993.

"The Treatment of Landscapes in the United States," an American Polish Workshop, Warsaw, Poland, 1993.

Defining A Preservation Ethic for the Treatment of Parks and Gardens, International Parks Conference, Montreal, Canada, 1993.

"Landscape Preservation in the 90's: The End of the Period for Period Landscapes." Benjamin Howland Memorial Lecture, University of Virginia, 1993.

"Landscape Maintenance and Preservation Planning," National Historic Landscape Maintenance Workshop, Atlanta History Center, Atlanta, GA.

"The Treatment of Rural Landscape Resources," Point Reyes National Seashore, CA, 1993.

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- "Defining the Landscape Universe for Historic Designed Landscapes," Wave Hill, 1993.
- "Reading the Victorian Landscape", Victorian Society, Carthage, MO, 1993.
- "The Treatment of Historic Cemeteries and Burial Grounds," panel discussion for the Popular Culture Association, New Orleans, LA, 1993.
- Historic Landscape Preservation Symposium, 1992. Conference development and paper presentation; "Playing With Time: The Treatment of Historic Landscapes," Washington, D.C. 1992.
- "Historic Landscape Maintenance Workshop," NPS/Garden Center of Cleveland, Cleveland, Ohio, 1992.
- "Landscape Preservation and the Historic Site Manager," Mid Atlantic Museum Association, Staatsburg, NY, 1992.
- "The Hermitage; A Case Study of Restoration Potential," Ho-Ho-Kus, New Jersey, sponsored by the Garden Conservancy, 1992.
- "House...and Garden," ASLA Annual Meeting, Kansas City, Missouri, 1991.
- "The Treatment of Historic Landscapes," National Trust for Historic Preservation, San Francisco, California, 1991.
- "Historic Landscape Preservation," Paca Memorial Library, Asheville, North Carolina, 1991.
- "Is it Restoration?" National Park Service, Preservation Challenges for the 1990s. Panel Discussion, Washington, D.C., 1990.
- "Tomorrow's Historic Landscape: Landscape Management Issues and Approaches," Panel Discussion, ASLA Annual Conference, Orlando, Florida, 1989.
- "The Greenway for Tomorrow," Paper Presentation, "Parkways, Greenways, Riverways, The Way More Beautiful," The Appalachian Consortium, Asheville, North Carolina, 1989.
- "Analysis and Planning: Designed Historic Landscapes," Panel Presentation. Applied Preservation Technology, Chicago, Illinois, 1989.
- "New Approaches to Historic Landscape Interpretation: Exploring Innovative Projects," Presentation, ASLA/NPS Historic Landscape Preservation Symposium, Seattle, Washington, 1988.
- "Frederick Law Olmsted's Emerald Necklace," Mobile Workshop, International Federation of Landscape Architects (IFLA), Boston, Massachusetts, 1988.
- "Neighborhood Park Planning and the Historic Landscape, for The Friends of the Parks and the Chicago Park Commission, Chicago, Illinois, 1988.
- "Cultural Landscape Workshop," Preservation League of New York State -- Fifteenth Annual Preservation Conference, Syracuse, New York, 1988.
- "Public Parks and Town Commons," Panel Presentation, Historic Landscape Symposium, University of Amherst, Amherst, Massachusetts, 1988.
- "Current Waterfront Projects," Panel Presentation, New York City Chapter, ASLA, Urban Center, New York City, New York, 1988.

APPENDIX 1 - CURRICULUM VITAE OF CHARLES A. BIRNBAUM

"The Planning Consultant and Their Relation With The Public Agency and Not-For-Profit Client to Achieve Successful Master Plan Results," Panel Presentation, National Association for Olmsted Parks. Louisville, Kentucky, 1987.

PROFESSIONAL AFFILIATIONS

Co-Chair US International Commission of Monuments & Sites (ICOMOS), Historic Landscape Committee, 1996-1999
Chair, American Society of Landscape Architects, Historic Preservation Open Committee, 1995-1997
Co-Chair, National Association of Olmsted Parks, 1996-1997; Vice Chair 1994-1996; 2000-
Board of Directors, Washington Architectural Foundation, 1995-1997
Board of Directors, Jens Jensen Society, Chicago, Ill, 1994-1997
Board of Directors, Alliance for Historic Landscape Preservation, 1994-1997

SELECTED GRANTS

Lilly Endowment, TCLF What's Out There Indianapolis, 2017
National Center for Preservation Technology & Training, What's Out There optimization, (TCLF) 2017
National Endowment for the Arts, Art Works, TCLF Halprin Exhibit, 2016
National Endowment for the Arts, Art Works, TCLF What's Out There Virginia, 2013
National Center for Preservation Technology & Training, What's Out There project, (TCLF) 2012
National Endowment for the Arts, Art Works, TCLF What's Out There Maine, 2012
National Endowment for the Arts, Design Arts, TCLF Pioneers Oral Histories, 2011
Hubbard Educational Trust, TCLF Pioneers Oral Histories (Richard Haag) 2011
National Endowment for the Arts, Design Arts, What's Out There project (consortium grant with Maine Historical Society) 2010
Richard H. Driehaus Foundation, What's Out There project, (TCLF) 2010-2013
National Center for Preservation Technology & Training, What's Out There project, (TCLF) 2009
National Endowment for the Arts, Design Arts, for Pioneers Oral History modules (TCLF) 2009
National Trust for Historic Preservation, Evans Hughes Memorial Preservation Fund, Dodge Jones Foundation Intervention Fund (TCLF) 2008
National Endowment for the Arts, Design Arts program, Pioneers Oral Histories (TCLF) 2008
Richard H. Driehaus Foundation, What's Out There project, (TCLF) 2007
Beverly Willis Architecture Foundation, Landscape Legends Oral History Initiative, (TCLF) 2006
Design Arts, National Endowment for the Arts (Birnbaum, Principal Investigator), 2005
Samuel H. Kress Foundation (Birnbaum) 2004
Furthermore, A Program of the JM Kalpan Fund (TCLF) 2004.
The Hubbard Educational Trust (TCLF), 2004.
The Graham Foundation (TCLF) 2004
Design Arts, National Endowment for the Arts (Birnbaum, Principal Investigator), 2003
Rudd-McClure Joint Ventures (CLF, Birnbaum, Executive Producer), 2002
Design Arts, National Endowment for the Arts (Birnbaum, Principal Investigator) 2001.
Max & Victoria Dreyfus Foundation (Cultural Landscapes as Classrooms) 2000.
Richard H. Driehaus Foundation (Cultural Landscapes as Classrooms) 2000.
The Joyce Foundation (Cultural Landscapes as Classrooms) 2000.
The Graham Foundation (Cultural Landscapes as Classrooms) 2000.
The Graham Foundation (Preserving Modern Landscape Architecture Proceedings) 1998.
The Hubbard Educational Trust (ASLA/NPS), 1996.
NPS Cultural Resources Training Initiative (ASLA/NPS), 1996.
National Center for Preservation Technology and Training (ASLA/NPS), 1995.
Furthermore, A Publication Project of the JM Kaplan Fund, (Wave Hill and Birnbaum), 1995.
The Kress Foundation (ICOMOS and Birnbaum), 1995.
The Graham Foundation (Pioneers of American Landscape Design) 1994.
New York State Council on the Arts, (Wave Hill and Birnbaum), 1994.
The Hubbard Educational Trust (Wave Hill and Birnbaum), 1994.

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The Hubbard Educational Trust (National Trust for Historic Preservation and Birnbaum), 1993.
Ralph Hudson Environmental Fellowship, Landscape Architecture Foundation, 1992.
National Trust for Historic Preservation, Preservation Services Fund (NPS/ASLA), 1992.
The Graham Foundation, (Wave Hill and Birnbaum), 1992.
New York State Council on the Arts, (LANDSCAPES), 1989, 1990.
The Marion Stedman Covington Foundation (Birnbaum)

**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE*
IN OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS THE CASE**

APPENDIX 2

A letter, dated December 10, 2012, from the Illinois Historic Preservation Agency to the U.S. Army Corps of Engineers regarding a prospective project in Jackson Park

APPENDIX 2- LETTER FROM ILLINOIS HISTORIC PRESERVATION AGENCY



Illinois Historic
Preservation Agency

FAX (217) 782-8161

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Cook County
Chicago

Ecosystem Restoration at Jackson Park
6401 S. Stony Island Ave.

COEC
IHPA Log #017102912

December 10, 2012

Peter Bullock
Department of The Army
U.S. Army Corps of Engineers
Chicago District
111 North Canal Street, Suite 600
Chicago, IL 60606

Dear Mr. Bullock:

Thank you for requesting comments from our office concerning the possible effects of the project referenced above on cultural resources. Our comments are required by Section 106 of the National Historic Preservation Act of 1966 (16 USC 470), as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties". Jackson Park Historic Landscape and Midway Plaisance were entered into the National Register of Historic Places on December 15, 1972.

We have reviewed the preliminary concept plans for the ecosystem restoration project and have the following comments:

1. As currently designed, the park retains a great deal of its integrity. While some of the original features have been modified, or removed, the remaining defining characteristics such as the overall plan developed by Olmstead, Olmstead, and Elliot as depicted on the 1905 map must be respected. These include, but are not limited to, the Golden Lady statue, the Osaka Garden, the current roadway configuration, the beach house, and the configuration of the lagoons.

2. We support the rehabilitation of some of the plantings located within the golf course, but would find the introduction of new water features and/or wetlands to be an adverse effect.

3. We support the effort to retain and enhance the lagoon shorelines and the addition, or re-establishment, of islands within the lagoons so long as they reflect the configuration of islands in the 1905 plan. We also support the re-establishment of communication between the various lagoons and Lake Michigan.

4. We also support the re-introduction and/or enhancement of plantings using Olmsted's 1896 plant list.

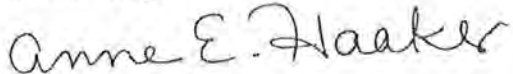
Appendix 2- 1

APPENDIX 2- LETTER FROM ILLINOIS HISTORIC PRESERVATION AGENCY

We look forward to working with the Chicago Corps of Engineers, the Chicago Park District, and our preservation partners on this complex and worthy project and will review items as quickly as possible as specific aspects of the project are proposed.

If you have questions please contact David J. Halpin, Cultural Resources Manager, at 217-785-4998.

Sincerely,

A handwritten signature in cursive script that reads "Anne E. Haaker".

Anne E. Haaker
Deputy State Historic
Preservation Officer
AEH

**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE*
IN OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS THE CASE**

APPENDIX 3

An historical assessment of Jackson Park prepared by the Chicago Park District in 1995

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

Julia Sniderman Bachrach
Dept. of Research and Planning
Chicago Park District
Prepared Sept. 1995

**Jackson Park
Design Evolution**

Creation of South Park Commission

In 1869, after several years of lobbying by prominent south-siders, the Illinois State Legislature approved a bill establishing the South Park Commission. A five member board was given the authority to improve and maintain a 1055 acre parcel, then located in townships just south of Chicago, as a public park. The nationally renowned designers, Frederick Law Olmsted and Calvert Vaux, who had previously designed New York's Central Park, were hired to lay out a comprehensive plan for the new park, then known as South Park.

Original South Park Plan

South Park was envisioned as a landscape with two large sections linked together by a boulevard which Olmsted named the Midway Plaisance (middle garden). The Eastern Division, a 593 acre area adjacent to Lake Michigan, later became known as Jackson Park, and the Western Division was a 372 acre area that was later renamed Washington Park (Olmsted & Vaux, *Chicago South Commissioners Plan of: South Open Ground, Upper Plaisance, Midway Plaisance, Open Ground, Lagoon Plaisance and Parkway Quadrant*, 1871).

Olmsted often incorporated a site's natural attributes into his designs, however, he considered the conditions of Chicago's unimproved park site "extremely bleak." (Olmsted 1893: 22, 19). He asserted that "if a search had been made for the least park-like ground within miles of the city, nothing better meeting the requirement could have been found" (ibid). The most "obvious defect of the site" was viewed as "that of its flatness" (Olmsted & Vaux, *Chicago South Commissioners Plan of: South Open Ground, Upper Plaisance, Midway Plaisance, Open Ground, Lagoon Plaisance and Parkway Quadrant*, 1871).

Olmsted found the Eastern Division area particularly "forbidding," with sand bars that had formed in the lake, boggy swales, and ridges covered with "vegetable mold" (Olmsted 1893, XXII: 2, 19). He did however, interpret Lake Michigan as the site's greatest advantage. He suggested that there was:

"but one object of scenery near Chicago of special grandeur or sublimity, and that, the lake, can be made by artificial means no more grand or sublime. By no practical elevation of artificial hills, that is

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

to say, would the impression of the observer in overlooking it be made greatly more profound. The lake may, indeed, be accepted as fully compensating for the absence of sublime or picturesque elevations of land" (Olmsted 1871).

Olmsted's design compositions generally combined "sublime" and "beautiful" areas (Beveridge 1977). In the original plan for South Park, Olmsted relied upon the "sublime" style in his design for the Eastern Division by linking to Lake Michigan a system of rugged, heavily planted channels and lagoons. Had the plan been implemented, these waters would have flowed into a formal channel extending the length of the Midway Plaisance and then into smaller ponds in the Western Division. In the Western Division, which later became known as Washington Park, Olmsted articulated the "beautiful" style through the use of a large open sheep meadow.

Delays in Implementing the South Park Plan

Olmsted and Vaux submitted the South Park plan and accompanying report to the South Park Commission in 1871. Five months later, much of Chicago was devastated by the Great Fire. While the South Park land was not affected by the fire, the Commission's downtown office was destroyed. Among the documents that burned was a "nearly complete assessment roll, which was to assign holders of property adjacent to the park their share of park costs" (Ranney 1972, 32). Progress to improve the park "was suspended and all employees except a small police force were discharged" (ibid).

As the city began recovering from the destruction of the fire between the early and mid-1870s, the South Park Commission slowly began improving the Western Division of South Park. Problems in acquiring much of the land for the Eastern Division caused additional delays in improving this section. By 1875, when the Eastern Division was renamed Lake Park, it remained unimproved (South Park Commissioners 1874-75, 6).

Eastern Division/ Lake Park's Earliest Improvements

During the late 1870s, work was done to improve the northernmost part of Lake Park including grading, spreading manure, seeding lawns, and planting trees. In addition, two artificial lakes were created. One of the two lakes was located on the northwest corner of the park. Oblong in configuration and crossed by a masonry bridge, this waterway was called the "twin lakes" (Andraes 1889, 169). During the winter, when the lake was frozen it was used for skating.

The second artificial lake is the water body that later became the Columbia Basin. This lake had little relationship to the corresponding water area on Olmsted's 1871 plan. It had a simple, irregularly shaped configuration, with a broad beach at its northern end,

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

and mowed lawn at the surrounding edges (n.a. *Map Showing Progress Made in the Improvement of the Eastern Division of South Park*, 1880). In the center were two islands with rocky edges (photo, *Jackson Park Pond*, 1888). In 1880, a masonry and iron bridge was constructed across the artificial lake's southern end. Some of the original masonry is believed to be part of the existing Clarence Darrow Bridge (photo, *View of Art Building from World's Fair Bridge*, 1895).

The improvements in Lake Park were immediately popular. The picnic grounds were used by large numbers of people. Boating was offered in both artificial lakes. In 1881, Lake Park was officially renamed Jackson Park, in honor of Andrew Jackson, eleventh president of the United States.

By the early 1880s, lakeshore erosion was already a problem. A breakwater was constructed, and the beach was paved along Lake Michigan from 56th St. to 59th St. between 1882 and 1884 (*South Park Commission Annual Report* 1884, 22). The granite pavers were extended southward to 61st St. between 1888 and 1890 (*South Park Commission Annual Report* 1890, 15). During the late 1880s and early 1890s the long stretch of paved beach became a popular promenade space for strolling and bicycling.

Two buildings were also constructed in the park during this period. One was a large shelter at 56th St. near the lake, which was designed by Daniel H. Burnham. (During the World's Columbian Exposition, this structure was adapted for use as the Iowa Building.) The second structure was a ladies comfort station located to the east of the artificial lake with the two islands (which later became the Columbia Basin). Both structures were constructed of light colored rusticated stone. (The ladies comfort station is the oldest extant building in Jackson Park).

World's Columbian Exposition

When Chicago won the honor of hosting the World's Columbian Exposition in 1890, Frederick Law Olmsted was asked to help select the site for the fairgrounds (*South Park Commissioners* 1889-90, 14). After much controversy, Jackson Park was selected, and a general outlay for the fair was jointly developed by consulting landscape architects, Olmsted, and his associate Henry Codman, and consulting architects, Daniel Burnham and John Welborn Root (Hines 1974, 77). In a paper read to the World's Congress of Architects, which met in Chicago several months after the official opening of the World's Columbian Exposition, Olmsted explained that:

"...a crude plot, on a large scale, of the whole scheme was rapidly drawn on brown paper... The plot, formed in the manner described, contemplated the following as leading features of design: That there should be a great architectural court with a body of water therein; that this court should serve as a suitably dignified and impressive entrance-

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

hall to the Exposition, and that visitors arriving by train or boat should all pass through it; that there should be a formal canal leading northward from this court to a series of broader waters of a lagoon character, by which nearly the entire site would be penetrated, so that the principal Exposition buildings would each have a water as well as land frontage, and would be approachable by boats..." (*World's Columbian Exposition Report of the Director of Works* 1892, 4-5).

This scheme continued to be followed, even after John Welborn Root's death in 1891, and Burnham's appointment as Chief Consulting Architect for the Fair.

As conceived by the design team, the Court of Honor was a hard-edged basin flanked by monumental Beaux Arts style buildings. The focal point was Daniel Chester French's *Statue of the Republic* at the eastern end. Like the Fair buildings, the monument was made of a type of plaster known as staff. The figure was gilded, except for its arms and face which were exposed white staff.

East and West Lagoons and Wooded Island

The Court of Honor was the most formal area of the Fair's landscape. Contrasting with this formality, the east and west lagoons were rugged and naturalistic. Other than the straight-edged terrace extending from the Horticultural Building on the west side of the West Lagoon, the edges of both lagoons were irregularly shaped and planted with masses of low shrubbery and grasses. In the center, between the two lagoons was the Wooded Island. There were also some very small islands scattered around the large Wooded Island, particularly at its south end.

The Wooded Island was formed by the re-shaping of some of the site's natural ridges. Olmsted wanted the Island to have a "secluded, natural sylvan" character (*World's Columbian Exposition Report of the Director of Works* 1892, 5). He asserted that the intention was:

"to have what has since been called the Wooded Island, occupying a central position, held free from buildings and all objects that would prevent it from presenting, in connection with the adjoining waters, a broad space, characterized by calmness and naturalness, to serve as a foil to the artificial grandeur and sumptuousness of the other parts of the scenery" (Olmsted 1893, XXII: 2, 20).

While there was only one year's time for plantings to mature, Olmsted achieved a wooded character by incorporating the site's scattered groups of existing native oaks into the design. Olmsted added other fast-growing plantings. The existing oak clusters served:

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

"...as centers for such broad and simple larger masses of foliage as it would be practicable to establish in a year's time by plantations of young trees and bushes. Because the water in the lagoons would be subject to considerable fluctuations, it was proposed that its shores should be occupied by a selection of such aquatic plants as would endure occasional submergence and yet survive an occasional withdrawal of water from their roots" (*World's Columbian Exposition Report of the Director of Works* 1892, 5).

The designers' intention was to keep the island free of buildings and retain it as a natural-looking "horticultural preserve," however, many of the exhibitors wanted to construct on the island, and "Burnham received numerous petitions" for building permits there (Hines 1974, 108). Pressure for additional exhibit space became so great that Olmsted and Burnham "became convinced that it would be impossible to successfully resist these demands" (Olmsted 1893: 44, 194). Of all of the proposals for exhibits on the Wooded Island, Olmsted believed that ones that would have the "least obtrusive and disquieting result" were a temple proposed by the Japanese government, and floral display to coincide with Horticultural Hall (Olmsted 1893, XXII: 2, 20).

North Pond and Fine Arts Building

The irregularly shaped artificial lake that had been created in the park in the late 1870s was converted into the northernmost section of the lagoon system (Department of Works, *Map of the Buildings & Grounds of the World's Columbian Exposition*, 1893). This was called the North Pond and later known as the Columbia Basin. As part of the Fair plans, this was conceived as the water frontage setting for the Fine Arts Building, a neo-classical style structure designed by Charles Atwood.

In preparation for the Fair, the two islands were removed and the North Pond was dredged. Much of the shape of the pond remained the same. A small section of the southwest side of the pond was filled to create the area for the Illinois Building (Burnham, *Map of the Buildings & Grounds of the World's Columbian Exposition*, 1893). The entire pond had a strongly defined edge, much of which was composed of mowed lawn adjacent to the water (photos, *Fotgrafiske Billeder af Verdensud Stillingen af Midway Plaisance*, 1894). The north side of the pond was reconfigured from beach edge to a formal terrace which extended from the Fine Arts Building into the water. This was the primary facade of the building, and the water became a dramatic reflecting pool, and provided access for boats (Appelbaum 1980).

In contrast to the more naturalistic and rugged east and west lagoons adjacent to the Wooded Island, the North Pond was consciously conceived as a water setting for the monumental Fine Arts Building (Olmsted 1893: 41). Olmsted was disappointed with the construction of the numerous smaller pavilions surrounding the pond. He asserted

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

that most of these buildings were sited without his consultation, and were placed in a manner that "intercepted vistas and disturbed spaces intended to serve for the relief of the eye" (Olmsted, 1893: 41).

After the Fair

The World's Columbian Exposition closed in October of 1893. The intent had always been for the fair to be temporary, and beginning in January of 1894 a series of fires destroyed many of the buildings (Appelbaum 1980, 107). Later that year, the Chicago Wrecking and Salvage Co. was hired to demolish most of the buildings that were still standing. One of the few exceptions was the Fine Arts Building, which had been built with a more permanent internal structure than many of the other buildings. It had a fire vaulted interior because it housed such an important collection of artworks during the fair. Towards the end of the World's Columbian Exposition, prominent Chicagoans decided to memorialize the event by creating a "Columbian Museum" (Commission on Chicago Landmarks 1994, 18). A one million dollar donation by department store magnate Marshall Field made it possible to purchase anthropological artifacts that had been exhibited at the exposition. The Fine Arts Bldg. became the "Field Columbian Museum" (Commission on Chicago Landmarks 1994, 18).

The other buildings that remained after the Fair were the German Building, the Iowa Building, La Rabida and the *Ho-oh-den* (the Japanese Temple on the Wooded Island).

Redesign of Jackson Park 1894-1906

Early in 1894, Frederick Law Olmsted's landscape design firm, then known as Olmsted, Olmsted, and Eliot, began working on a re-design plan for Jackson Park. The South Park Commissioners did not want the park to be "shorn of all the beauty that the World's Fair bestowed upon it" (n.a. *Park and Cemetery* 1895, 20). In fact, the intent was to create a "beautiful park" that would retain "many of the features characteristic of the landscape design of the World's Fair" and also provide "all of the recreative facilities which the modern park should include for refined and enlightened recreation and exercise" (n.a. *Park and Cemetery* 1895, 20).

In 1895, Olmsted, Olmsted & Eliot's Revised General Plan for Jackson Park was completed. Between that date and 1906, the entire park was improved. The majority of the work followed the plan, however, there were some modifications. The most notable was the addition of the golf course in 1899.

The Olmsted Olmsted & Eliot plan included "three principal elements of the scenery" for Jackson Park, "the Lake," "the Fields," and "the Lagoons" (Olmsted, Olmsted & Eliot, *Revised General Plan for Jackson Park*, 1895). Olmsted sent an eight page report to South

APPENDIX 3- CHICAGO PARK DISTRICT ASSESMENT OF JACKSON PARK (1995)

Park Commission Joseph Donnersberger on March 10, 1895, further describing these plans principal elements.

The Lake Shore

Olmsted asserted that the "finest thing about the Park is unquestionably the view of Lake Michigan, which is obtained from the shore" (Olmsted A39: 20, 698). Lake Shore Drive was intended as the major feature allowing broad views of the Lake for people walking, driving and riding. The Drive was conceived in Olmsted's original 1871 plan. A paved beach and promenade were constructed along the edge of the Lake between 1875 and 1890. These elements remained during the World's Columbian Exposition. The initial construction of Lake Shore Drive commenced in 1894, after the Fair, in accordance with the Olmsted, Olmsted and Eliot's redesign plan.

Following the redesign plan, Lake Shore Drive extended from the northern boundary of the park, passing southward between the Museum and the beach, across a bridge over the North Inlet at 59th Street. The Classical style limestone bridge was designed by D. H. Burnham and Co., and structural engineer C.L. Strobel, who was a noted bridge designer and "pioneer in skyscraper construction" (Sarring 1993). Constructed in 1895, the North Inlet bridge was designed in a manner very similar to the World's Fair Bridge that it replaced.

Olmsted intended for Lake Shore Drive to extend to a "terminal circle" just north of the South Inlet (approximately located at 63rd St.) He did not want the Drive to cross over the South Inlet (which was the mouth of the South Haven, now considered the Outer Harbor), because he thought it was more important to keep the Inlet open to boats entering from the lake (Olmsted to Donnersberger March 10, 1895, A39: 698). At the north end of the South Inlet, between the western edge of the South Haven and eastern edge of the South Lagoon, Lake Shore Drive then connected with a road which followed "a gentle curve about three fourths of a mile in length" (Olmsted to Donnersberger March 10, 1895, A39, 698). The curved road was historically considered South Haven Drive or Harbor Drive, and also referred to as Coast Guard Drive after the South Park Commission agreed to allow the U.S. Coast Guard to build a life saving station on the west side of the South Haven in 1904. The South Haven Drive extended over a granite bridge designed by architect Peter J. Weber, who won a competition sponsored by the South Park Commission. The Classical style bridge, with whimsical bas relief ornamentation on both the east and west elevations, was constructed in 1904. Just south of this bridge, the South Haven Drive connected with South Road, which was later renamed Marquette Drive.

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System of Lagoons

The Olmsted, Olmsted & Eliot redesign plan included a system of interconnected lagoons, which provided a sequential series of changing landscape scenes, as well as access by boats throughout the entire waterway. An 1895 article describing the plan explained that:

"The water effects have been amplified and diversified and the system of lagoons, extending as it does in its varied design the entire length of the park, will present waterscapes of infinite variety and beauty as well as afford the most liberal facilities for boating and aquatic pleasures" (n.a. *Park and Cemetery* 1895, 20).

Olmsted emphasized the importance of the lagoon system as a place for boating in a April 10, 1894 letter to Joseph Donnersberger. Olmsted wrote that Lake Michigan could not well accommodate rowing, but that the lagoons within the park were sure to become popular for this activity. He suggested that Jackson Park would become "the finest domestic boating park in the world" (Library of Congress, A33:806).

The ability to create a changing sequence of landscape scenes was one of the most brilliant aspects of the 1895 Olmsted, Olmsted, and Eliot plan. In a letter to the South Park Board President Joseph Donnersberger dated May 7, 1894, Olmsted emphasized the importance of the different treatments within the design composition. He asserted that in order to "devise a comprehensive general design" each part of the "park must be planned subordinately to and dependently upon every other part" (Library of Congress, A:34:79). Olmsted suggested that, "In this interdependence of parts lies the difference between landscape gardening and gardening. It is as designers, not of scenes but of scenery, that you employ us, and we are not to be expected to serve you otherwise than as designers of scenery" (ibid).

The formal Court of Honor and a small adjacent lagoon of the World's Fair grounds were replaced by the South Haven (outer yacht harbor) and South Lagoon. These simple water elements emphasized the visual and physical connection with Lake Michigan while also providing access for boats. The South Lagoon narrowed at the north and flowed under the Center Bridge (later considered the Hayes Drive Bridge). Constructed in 1902, the red granite bridge had a simple elliptical arch with clearance of fourteen feet above the water level, allowing adequate space for the passage of boats.

The water areas north of the South Lagoon and south of the Wooded Island were the most rugged-looking, lush and densely planted portions of the lagoon system. Known as the North and South Bayous, these were intricate areas of water and land. Just north of the North Bayou were the East and West lagoons, which had simpler edges, but also included dense shrub plantings on the waters edge. The West lagoon was widened and

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its west bank made more naturalistic than the formal terrace that had extended from Horticultural Hall during the Fair (photo, Appelbaum 1980, 56).

The Olmsted, Olmsted and Eliot also plan included two boat houses on the edge of the West Lagoon. The "principal station for rowboats and canoes" was "designed to be placed in the cove just north" of the Midway Plaisance (Olmsted to Donnersberger A21:702). Just south of the Midway was the "principal electric launch station" (ibid.). Both of the boating structures were designed by D.H. Burnham & Co. and were Classically inspired. The principal station for rowboats and canoes was constructed in 1896 and the electric launch station was construction in 1906. Composed of two brick pavilions and center launch area, this utilitarian structure was tucked along the western edge of the lagoon. (Today, the launch station is extant, however, the principal boat station no longer remains).

The East and West lagoons had numerous small islands that were also heavily planted. Between the East Lagoon and the North Inlet there was a bridle path bridge called the Music Court Bridge, because it led to the formal music area to the north. Constructed between 1904 and 1906, the granite bridge had three arched openings with moveable gates. The gates were meant to help regulate the fluctuations in water levels of Lake Michigan, and allow the inner waters to be frozen for skating during the winter.

Olmsted, Olmsted and Eliot's treatment of the area north of the East and West Lagoons was the most formal of the entire lagoon system. This was due to the decision to retain the Fine Arts Building as the Field Columbian Museum.

Area Surrounding Field Columbian Museum

The legend of the 1895 Olmsted, Olmsted and Eliot plan states that, "Contrasting with the rest of the park, the neighborhood of the vast building of the Field Columbian Museum is designed upon formal lines for the sake of architectural harmony." Olmsted explained the importance of a landscape treatment that would emphasize the museum building:

"All other buildings and structures to be within the park boundaries are to be placed and planned exclusively with a view to advancing the ruling purpose of the park. They are to be auxiliary to and subordinate to the scenery of the park. This Art Building is to be on a different footing. Plantations, waters, roads and walks near it are to be arranged with a view to convenience of communication with the Building; with a view to making the Building a dominating object of interest, and with a view to an effective outlook from it, especially over the lagoons to the southward" (Olmsted to Donnersberger, May 7, 1894, Library of Congress, A34:152).

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A formal circuit drive encircled this area which included the museum building, symmetrically arranged depressed lawn panels to the north, and the North Pond to the south. The circuit drive had simple formal terminal circle elements on the east and west axis, and crossed the bridge dividing the North Pond from the East and West Lagoons.

In the 1895 Olmsted, Olmsted, and Eliot plan, the North Pond was shown as a formal, hard-edged basin. The Olmsted firm had been conferring with Charles Atwood, the architect of the Fine Arts building, who was advising the South Park Commission on its adaptation for use as the Field Columbian Museum. In a letter to Supt. J. Frank Foster dated September 17, 1894, Olmsted stated that Atwood had "always hoped that this basin might be treated architecturally," but that it was understood at the time that South Park Commission was "not in possession of the funds to be directed to such a purpose" (Olmsted to Foster, Sept. 17, 1894, A36: 19, 124). Thus recommending an informal basin design, the Olmsted firm developed a scheme that left the area largely as it had been during the Fair (Olmsted National Historic Site, Planting Plan #54, Oct. 15, 1894). The overall design philosophy for the area was articulated through the simple, irregular configuration of basin and its surrounding landscape of mowed lawn and scattered trees and shrubs framing views of the monumental building.

Just southeast of the circuit drive was another formal element, the Music Court, which was also conceived as part of the Olmsted, Olmsted and Eliot plan. This "place especially designed for the gathering of crowds about a band stand" was composed of a semi-circular area for a band stand with two outer semi-circular paths pierced by diagonal paths (Olmsted to Donnersberger, March 10, 1895, 704). The surface was meant to "gently descend towards the music stand, as in an amphitheater" (Olmsted to Donnersberger, March 10, 1895, 704). The paths were lined by formal rows of trees to shade the area. The Music Court was "intended to be lighted after dark and kept always open" (Legend accompanying Revised General Plan for Jackson Park, 1895).

The Fields

The fourth major element of the 1895 Olmsted, Olmsted and Eliot plan was the fields. These green lawn areas were meant as a contrast to the lake shore scenery, lagoon scenery, and formality of the museum area (Olmsted to Donnersberger, March 10, 1895, 703). The fields included an outdoor gymnasium area at the park's western perimeter, a tennis lawn meadow just west of Lake Shore Drive, and a large playing field at the southwestern section of the park.

When proposed in 1895, the men and women's outdoor gymnasiums were features that were relatively new in the United States. Olmsted reported that "similar gymnasiums proved very successful in Europe and in Boston" (Olmsted A39: 20, 704). The plan

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included two oval shaped areas, one for men and one for women. Both were encircled by running tracks. Between the two areas was a playground for children.

The outdoor gymnasium area was one of the first sections of in Jackson Park to be improved following the adoption of the Olmsted, Olmsted & Eliot plan. The gravel used for grading and surfacing the outdoor gymnasium were taken from the World's Fair walks (SPC Annual Report 1894-5, 8). Soon after the outdoor gymnasium were opened to the public, the gravel running tracks began to be used as bicycle tracks (Report of SPC 1895, 9).

The lawn tennis area was located between the North and South Inlets, west of Lake Shore Drive. This was an oblong meadow space on which temporary lawn tennis nets were placed. In 1899, the South Park Commissioners decided that Jackson Park would include the first public golf course. According to Tom Govedarica, author of *Chicago Golf: The First 100 Years*, this was the "first golf course west of the Alleghenies opened to the public" (1991, 58). The initial 9 hole course was placed at the southern end of the lawn tennis field.

The Olmsted, Olmsted and Eliot plan for the park was modified to include a second golf course in 1900. (The degree to which the Olmsted firm was involved in this effort is unknown). This second course, which had eighteen holes, was added to the park's southern perimeter and the playing field at the southwestern part of the park. The playing field was conceived as a sixty acre great meadow. The broad green lawn which had "room for ball games of all kinds" was easily adapted for golf (Olmsted to Donnersberger, March 10, 1895, 703). When the playing field was first improved for golf in 1900, the project included the construction of a brick golf shelter building. (At the time, the other 9 hole course also remained).

Popularity of Recreation and Sports 1906-1918

By 1906, Jackson Park's new recreational amenities were intensively used. Though golf was very new to Chicagoans, Jackson Park's courses were already extremely popular. During the golf season of 1906, a total of 87,500 people played on the eighteen hole course and 40,000 played on the nine hole course (SPC 1906 Annual Report, 35). On Fourth of July, the busiest day of the year, 1400 people played on the eighteen hole course, and 900 people played on the nine hole course during that day (ibid).

Due to the large number of people who played golf, the golf course shelter underwent two major additions within the first few years. The first was constructed in 1903 and the second was constructed in 1907. The first project added lockers for the players and a lunch counter. The second project, a large addition to the east, matched the brick and Spanish tile roof of the original building. This addition included 700 new lockers, shower baths for men and women, and an extension of the lunch counter.

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There was "no charge for lockers, towels or soap," and the "use of the links" was free (SPC Annual Rept. 1906-8, 44).

The popularity of golf continued to grow. During the 1911 season, a total of 70,000 people played on the nine-hole course and a total of 140,000 players used the eighteen-hole course (SPC Annual Rept. 1912, 25). In 1912, a second golf shelter was constructed in the eighteen hole course. Located by the ninth hole, the new shelter was sited by the Olmsted Brothers (successor firm of Olmsted, Olmsted and Eliot) (B files- Library of Congress, May 23, 1911). Designed by D.H. Burnham and Co., the Classical style building was constructed of exposed aggregate concrete with a Spanish tile hipped roof. Its center open loggia, with men's bathrooms on one side and women's on the other, allowed for beautifully framed views of Lake Michigan.

In addition to wonderful views, Lake Michigan was valued as an important recreational asset to Jackson Park. Swimming became increasingly popular after the 1899 completion of Chicago's innovative Drainage Canal, allowing for the diversion of sewage, which had previously been emptied into Lake Michigan (Mayer and Wade, 1969, 274). By 1908, the South Park Commissioners were discussing plans to extend the beach, and construct a large building to be located near the proposed Casino building of the Olmsted, Olmsted, and Eliot plan. (There was also the earlier Casino building of the World's Columbian Exposition, that had existed in nearly the same location). The South Park Commissioners consulted with the Olmsted Brothers in 1908 on the design and layout of the new beach area. The Olmsted Brothers recommended that two new buildings be constructed; a Casino restaurant as had previously been proposed and a new bathing pavilion structure (Olmsted Bros. to Henry Foreman, Sept.. 6, 1908, B Files). This proposal would allow "that a suitable view may be obtained up and down the shore from the balconies of the building" and would "provide suitable accommodations for refreshment as well as shelter and meet the demands of the public for parties and other free, suitable, entertainment" (SPC 1908, p. 15).

In 1914, a general plan for Jackson Park that was created by South Park Commission in-designers included the bathing beach extension. This plan included only one building for the new beach; the bathing pavilion. Following this general scheme, South Park Commission in-house architects developed plans for a Classical style building with open loggias and center courtyard spaces in 1917. The ten acre beach extension was filled in 1916 and 1917. Restrictions on building materials during World War I delayed completion of the building until 1919.

World's Columbian Exposition Remnants 1918-1933

In honor of the twenty-fifth anniversary of the World's Columbian Exposition and the Centennial of Illinois statehood, a smaller version of the *Republic* sculpture was erected in Jackson Park. The piece was purchased through remaining proceeds from the

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World's Fair combined with some funding from the B.F. Furgeson Fund. Daniel Chester French, the artist of the original monument was commissioned to sculpt the commemorative version, and the architect Henry Bacon was selected for the design of the pedestal and platform. The gilded bronze sculpture was 24' tall, while the gilded plaster original was 65' tall.

The triangular traffic island on which the monument was erected had previously been considered as the location of two proposal. During the mid- 1890s, this location was considered as a possible location for the Logan Monument. The Olmsted, Olmsted, and Eliot firm argued against this suggestion, as they did not believe a war monument was appropriate anywhere in Jackson Park (A47 reel, 947-954). Later, in 1910, the Olmsteds consulted the South Park Commission on the placement of a flagpole in Jackson Park, and the triangle island was considered again. The Olmsteds suggested that the "little triangle, considering its informal planting and location and the scale of its immediate surroundings, would seem too trivial to serve as a dignified base for the flagpole" (B files--Olmsted Brothers to Henry G. Foreman, Aug. 18, 1910). It is likely that the Olmsted Brothers were not involved in the placement of the *Statue of Republic*. Apparently, the decision to erect the monument on the triangle island was made because this had also been the location of the monumental Administration Building during the World's Fair (Park and Cemetery 1918, 198).

Although the new *Statue of the Republic* reminded Chicagoans of the significance of the World's Columbian Exposition, two of the remaining original Fair buildings were destroyed during the 1920s. After the World's Fair, the Spanish Building, which was a replica of La Rabida of Palos, Spain was retained as a sanitarium for sick babies. Beginning in 1895, the hospital was opened during the summer season of each year. In 1918, the facility closed down due to a shortage of nurses during wartime (Jackson Park Sanitarium Year Book 1927-28, 31). The building, which had been intended as a temporary structure, had fallen into a terrible state of disrepair, and was destroyed by fire in 1922.

A raised seating area, named Convent Hill, was constructed on the original site of La Rabida in 1924. In the late 1920s, there was a proposal to build a new La Rabida structure to be located south of the original building. Despite some objections from the community, legal permission was granted to the La Rabida Jackson Park Sanitarium to construct the new hospital. Designed by Graham, Anderson, Probst and White, the Mediterranean Revival style building was constructed in 1932.

The second World's Fair Building that was destroyed in the 1920s was the German Building. After the Fair, the German Building had been retained as a restaurant. The Olmsted, Olmsted, and Eliot plan anticipated that eventually it "would become necessary to abandon the temporary restaurant in the German Building," and suggested its replacement with the proposed Casino Building on the beachfront. The German

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Building did received some rehabilitation work, including the construction of new toilet rooms in 1911 (SPC Annual Rept 1911-12, 13). The building fell into a terrible state of disrepair and burned down in 1925. A bowling green and club house building were placed on the site of the German Building in 1927. The brick Revival style club house was designed by South Park Commission architects. In 1931, an addition was constructed at the southwest side of the building.

Like the other two World's Fair buildings, by the late 1920s the original Fine Arts Building was in severely deteriorated condition. The collections that were housed in the building after the Fair were moved to the newly constructed Field Museum of Natural History in Grant Park in 1920. Prominent individuals and organizations were discussing proposals to renovate the original Fine Arts Building for a number of years. In 1926, Julius Rosenwald, chairman of Sears, Roebuck and Co. proposed the re-use of the Fine Arts Building as an industrial museum that would highlight new scientific discoveries (Commission on Chicago Landmarks, Jan. 5, 1994, 22). The idea was supported by the Commercial Club of Chicago. In 1927, Rosenwald traveled through Europe with two members of the South Park Board visiting museums of science and technology.

The architectural firm of Graham, Anderson, Probst and White was responsible the exterior restoration of the museum, which was completed in 1930. The interior work, which commenced in 1930 was designed by Shaw, Naess and Murphy, a firm of three architects who had previously worked for Graham, Anderson, Probst, and White. The interior work included notable features executed in the Art Deco style. By the time of Rosenwald's death in 1932, he donated over 7 million dollars to the project (Commission on Chicago Landmarks, Jan. 5, 1994, 22). The opening of the Museum coincided with the 1933 Century of Progress, Chicago's second World's Fair, which was held in Burnham Park.

WPA Improvements 1935-1941

By the mid- 1930s, all twenty-two of Chicago's independent park commissions were in financial turmoil due to the Great Depression. Access to federal funds encouraged the consolidation of the numerous park commissions into the Chicago Park District in 1934. Between 1935 and 1941, more than one hundred million dollars of government funds were devoted to projects within Chicago's parks.

Many of the WPA- funded improvements emphasized modernization, convenience and increased recreational benefits. In addition, a significant amount of work was also done to improve and rehabilitate park landscapes. Jackson Park projects fell within all of these categories, and were all designed by Chicago Park District in-house staff. They included the construction of a passerelle over Lake Shore Drive and inlet bridges in the golf course; five new buildings; and landscape work including the rehabilitation and

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minor alterations to the Columbia Basin, a major replanting of the Wooded Island, and the creation of the perennial garden.

Passerelles were constructed at various intervals over Lake Shore Drive to provide pedestrian access across the eight lane roadway. The 62nd St. passerelle, a steel structure with Art Moderne details was completed in 1936. An identical structure built at 67th St. in the early 1940s was later removed. Two small bridges were also constructed in the golf course in 1936. These stone footbridges with wood handrails provided pedestrian access over the inlet streams in the southern part of the golf course.

Jackson Park's five new buildings included two comfort stations, two combination shelter/comfort stations, and a maintenance/service yard building. All were all designed by E.V. Buchsbaum, a Chicago Park District in-house architect who had previously worked for the South Park Commission. Buchsbaum had originally designed Jackson Park's frame Colonial Revival style comfort station for the South Park Commission in 1933, however, it was not built at the time due to the lack of funds. In 1935, the proposed building was constructed at the landscape triangle on the lakefront at 59th St. This comfort station was moved north on the beach near 57th St. in 1949. The other comfort station was constructed in the children's playground at the western perimeter of the park in 1936. This building was identical to the frame structure in terms of plan, massing, and scale, and had similar details. It was executed in lannon stone, however, and was considered the English Stone style version.

The two larger shelter structures were composed of the same kind of lannon stone as the English Stone comfort station. One of them, a structure that was square in plan with a small open courtyard at the center, was located just northeast of the Museum of Science and Industry. This project included the demolition of the 1880s masonry structure that had been used as the Iowa Building during the 1893 World's Columbian Exposition. The Museum of Science and Industry donated \$20,000 towards the construction of the new building, which is also considered the Iowa Building (CPD Annual Rept. 1936, 26). A sculpture known as the Garden Figure which was cast in plaster by Frederick Cleveland Hibbard for a 1930 art exhibit at the Merchandise Mart, was modeled in marble in 1940 for placement in the Iowa Building's open courtyard. Construction delays, however, led to its installation in the Lincoln Park Conservatory.

The other combination shelter/ toilet facility was constructed in the area which had included the nine-hole golf course. To provide greater recreational opportunities, the nine-hole course was removed and replaced with a running track and ball fields and a new parking lot in 1936. The combination shelter was identical to a ball field structure constructed in Lincoln Park. Composed of random ashlar masonry and half-timbering, the building is T-shaped in plan, with an enclosed office, bathrooms, and a roofed open shelter area.

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The maintenance/service yard building was constructed in 1936, on the park's western perimeter, just south of 64th St. This site had been designated as the service yard on Olmsted, Olmsted and Eliot's 1895 plan, and an L-shaped shed structure had existed at this location since 1900. The WPA project included the demolition of the historic sheds and construction of a one story brick building with a rectangular plan flanking and open service yard area.

The landscape work in Jackson Park that was funded by the WPA was also designed and implemented by Chicago Park District staff members. It included a planting program throughout the park, with a particularly large number of trees and shrubs planted on the Wooded Island. The planting design of this period tended to be characterized by dense massings of understory trees such as hawthorns, crab apples, and dogwoods. These species were compatible with the Olmsted, Olmsted, and Eliot palette, however, the 1890s design used understory trees more sparingly, as scattered accent points rather than heavy masses.

Additional work on the Wooded Island included the installation of the Torii Gate and Japanese Tea House which had been exhibited in Burnham Park for the 1933-34 Century of Progress. This project included the installation of a new Japanese Garden. The Japanese pavilion known as the Ho-o-den which had existed on the Wooded Island since the 1893 World's Columbian Exposition received some rehabilitation work. In addition, the World's Fair Rose Garden received a major replanting.

A new perennial garden was also created in 1936. Placed in Jackson Park at the junction of the Midway Plaisance between Stony Island Ave. and Cornell Dr., the large circular sunken garden was incorporated into an existing circular recessed lawn panel. That lawn element followed the form that had been shown as a formal water basin in Olmsted's 1871 original plan as well as the Olmsted, Olmsted and Eliot 1895 plan. The sunken lawn panel remained in the center of the garden. Simple retaining walls of stratified limestone were added, as well as limestone steps down to the lawn panel. The perennial beds were placed at grade surrounding the circular lawn panel. An outer border of shrubs gave the perennial garden a sense of enclosure.

Jackson Park's WPA landscape projects also included work on the Columbia Basin and surrounding site. Conducted between 1937 and 1940, the project included minor cutting and filling to the basin resulting in some reconfiguration (Chicago Park District, *Jackson Park Rosenwald Museum Lagoon Fill*, March 9, 1937, Revised: March 21, 1938). This included filling the northeastern portion, slight filling on the west side of the basin, and some cutting to enlarge the Columbia Basin at the northwestern corner to meet the edge of the building. There were also some plantings added to the landscape surrounding the basin (Chicago Park District, *Jackson Park Landscape Design for Columbian Fine Arts Bldg. occupied by Museum of Science and Industry*, May, 1938, Revised: March, 1940). By

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the end of 1940, most of the historic views of the museum were either intact or reinstated.

Alterations and Additions 1946-1986

During the post World War II period, labor and material costs were high and steel allotments continued to be restricted by the government. The few projects that were done in Jackson Park during this period tended to focus on pragmatic ways to increase recreational uses of the park. There was little interest or concern for the park's historic integrity. Between 1946 and 1950, the south lagoon's west shoreline was reconfigured and the remaining islands were removed to provide more access for boaters. As a means of providing better access to the 57th beach, a simple utilitarian passerelle was constructed in 1949 across Lake Shore Drive. In addition, the existing 59th St. comfort station was moved north to the 57th St. beach at that time. In 1953, the first of numerous expansions was added to the LaRabida hospital building. Unfortunately, most of these additions reflected an interest in Modernism rather than relating to the original 1932 building.

As funding became more available in the mid-to-late 1950s, the functional and recreation-oriented approach to projects continued. A fieldhouse had been proposed for Jackson Park since the late 1890s, however, this idea was not realized until 1957. The brick Modern style building was designed by Ralph Burke, a consulting engineer who had previously been a member of the Chicago Park District Engineering Dept. staff. The fieldhouse was sited on the west perimeter of the park at 65th St. south of the maintenance yard and outdoor gymnasium area.

In 1956, when the federal government installed a NIKE missile site in Jackson Park's lawn tennis area, the running track and a number of ball fields became off limits to park users. To make up for the lost recreation space, the Chicago Park District filled in the north and south bayous and created a large ball field meadow. This project destroyed the physical and visual interconnection of the water system. In addition to the project's negative impact on the historic landscape, it included the demolition of the two historic bridges that spanned south over the bayous from the Wooded Island. A non-ornamental bridge was constructed over the remaining water area to the Wooded Island in 1957.

Another important historic structure was demolished in 1962. This was Classical style Burnham-designed boathouse at the north end of the west lagoon which was originally constructed in 1896. In 1964, the historic Japanese bridge that spanned from the north side of the Wooded Island was razed. It was replaced with a utilitarian structure that was identical to the one that was constructed at the south end of the Island. In 1977, the Wooded Island was designated as the Paul Douglas Nature Sanctuary. Landscape maintenance practices were minimized so that volunteer growth would attract

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migratory birds. The Wooded Island has become one of Chicago's premier spots for bird-watching, however, the lack of pruning and removal of volunteer plants has had a negative impact on the historic landscape. Efforts are now being manage the area as both a natural habitat and a designed landscape.

In 1978, the Chicago Park District constructed a golf driving range in the area that had historically been the lawn tennis area and then the nine-hole golf course. In the late 1930s, ball fields and a cinder running track were placed in this area, however, they were not accessible during the period in which the NIKE site installation was in the park between 1956 and 1971. By the late 1970s, community members had hoped that this area of the landscape would be restored. Much of the area, however, was converted into a golf driving range that required the installation of nearly a thousand lineal feet of chain-link along its two sides between the east lagoon and Lake Shore Drive. Just north and west of the driving range, an area of prairie plantings known as Bob-o-link meadow was planted.

Some of the most major impacts to the historic integrity of Jackson Park were caused by traffic engineering projects conducted in the late 1970s and early 1980s. The southern end of the circuit road around the Museum and Columbia Basin was closed, and the roadway sections that connected it with Lake Shore Drive at the east and Cornell Drive at the west were removed. Another significant alteration was the removal of some of the curved sections of the southwest corner of the Marquette Drive circuit and construction of new angled sections of road. This included an extension of Marquette Drive straight to the west through the perimeter landscape. The entire length of Cornell Drive was substantially widened. The construction of an exit lane for southbound traffic between Cornell Drive and Stony Island Drive, just to the north of Marquette Drive, also undermined the historic integrity of the western perimeter landscape. In 1978, the roadway that extended from La Rabida to South Shore Drive was closed and converted to parking for La Rabida.

Restoration and Rehabilitation 1980 to present

In 1980, an effort to rehabilitate the Japanese Garden on the Wooded Island represented the beginnings of a new appreciation for Jackson Park's historic features. In the years following the destruction of the Ho-o-den Japanese pavilion in 1946, the Japanese Garden, had fallen into a state of disrepair. In 1980, the Chicago Park District and Chicago Department of Planning jointly applied for funds to reconstruct the Japanese Garden from the Illinois Department of Conservation. Through that agency two federal grants were secured. Mr. Kaneji Domoto of New Rochelle, New York was commissioned to work with the Chicago Park District landscape design staff to develop a plan for a new Japanese Garden. A new waterfall was constructed and the shoreline was reconfigured. The plan included a variety of plantings of Japanese character, a new circular path system, a "Moon Bridge" and a stepping stone bridge. The only remaining

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element of the historic WPA garden was the Kasuga lantern (located outside the entrance gate). Several other Japanese style granite lanterns were also included in the new garden.

The Japanese Garden was formally dedicated in 1981. The Japanese Garden was renamed the Osaka Garden in 1992 to commemorate the 20th anniversary of Chicago and Osaka as members in the Partner City program and their new status as Sister Cities. In 1994, a new formal entry gate was designed by Kobayashi & Associates of Seattle and hand-crafted by John Okumura of Chicago. The Chicago Park District replanted the Japanese Garden in 1995.

Several projects that were done to a higher lever of historic authenticity have taken place during the 1990s. The first was the result of a terrible fire in 1988 that destroyed a substantial portion of the US Coast Guard Station. The sections of the building that were destroyed were reconstructed, and entire building was restoration. The project, which was conducted by the Chicago Park District architectural design staff won a 1990 Paul Cornell Award for Historic Preservation.

In honor of the 100th anniversary of the World's Columbian Exposition, the Statue of the Republic was restored and rededicated in 1993. The monument, which had originally been installed in honor of the 25th anniversary of the World's Fair in 1918, had been regilded several times. By the early 1990s, however, it was in dire need of conservation. The Chicago Park District sculpture conservator was responsible for removing the remaining gilding and corrosion products. The monument was then regilded by Gold Leaf Studios of Washington DC.

Another recent rehabilitation project that has achieved a high degree of historic authenticity is the 59th Street Bridge, which was originally designed by Burnham and Strobel in 1895. Today, the bridge is within the jurisdiction of the City of Chicago. In 1993, the Chicago Department of Transportation hired the firm of Hasbrouck, Peterson, Zimoch, Sirirattumrong in conjunction with Kevin Lee Sarring, architect to develop a historic structures report for the bridge. In 1994, the bridge was reconstructed. The project included the reconstruction of the historic lighting fixtures, which had originally been designed for the 1893 World's Columbian Exposition.

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**BRIEF OF THE CULTURAL LANDSCAPE FOUNDATION AS *AMICUS CURIAE*
IN OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS THE CASE**

APPENDIX 4

A response, dated January 3, 2018, to the City of Chicago from TCLF acting in its capacity as a designated consulting party to the National Historic Preservation Act, Section 106 compliance review and the National Environmental Policy Act (NEPA) review underway for Jackson Park

APPENDIX 4 - TCLF'S RESPONSE TO CITY OF CHICAGO

January 3, 2018

Ms. Abby Monroe
Coordinating Planner
City of Chicago,
Department of Planning and Development

Dear Ms. Monroe,

As a designated consulting party to the National Historic Preservation Act, Section 106 compliance review and the National Environmental Policy Act (NEPA) review underway for Jackson Park, The Cultural Landscape Foundation (TCLF) is pleased to add the following remarks, supporting images, and attachments to the public record. As the Section 106 review is now in the initial phase of identifying historic features that could be adversely affected by the Obama Presidential Center (OPC) and related road closures, we first ask that the Area of Potential Effects (APE) be expanded to include the following:

- The South Park System (to include the entirety of the Midway Plaisance and Washington Park)

It is also evident that other issues should be raised at this early stage because they are not only fundamental to the identification of historic features but to the *review process itself*. While TCLF will comment in greater detail throughout the Section 106 review, we regard the following as essential topics to be brought to your attention immediately:

- The manifest inadequacy of the 1972 National Register of Historic Places nomination for Jackson Park and the Midway Plaisance; and the implications of the *de facto nomination update* produced in 1995 by the Chicago Park District (CPD);
- The historical precedence and design intent of the 1895 plan for Jackson Park by Olmsted, Olmsted & Eliot;
- The need to apply the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes* in the current review process;
- The overt incompatibility of the OPC and related road closures with overarching CPD plans and initiatives, as contrary to the framing language of the current review process.

Expanding the APE to Include the Entire South Park System

As currently conceived in the Section 106 review, the APE includes the following areas: a portion of the Midway Plaisance near its eastern terminus; an area between the western perimeter of Jackson Park and the Metra Viaduct; several blocks in the Hyde Park and Woodlawn neighborhoods west of the viaduct; and the whole of Jackson Park. What the current APE thus fails to recognize is the essential unity of the three tracts of land today known as Washington Park, the Midway Plaisance, and Jackson Park. The three tracts were conceived and designed as a single park: the report to the South Park Commission by Olmsted, Vaux & Co., submitted in March 1871, refers, in fact, to the whole of the bounded area as "The Chicago South Park," which it then describes as comprising an "Upper Division," a "Midway Division," and a "Lower or Lagoon Division."¹ As such, Chicago's South Park System is today the only intact park system designed by Olmsted and Vaux outside the State of New York. The two men regarded as a major advantage of their plan that it "locks the three divisions of the Park into one

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obvious system, so that their really disjointed character will be much less impressed on the minds of observers passing through them..." To do so, the plan relied heavily on water to lace the three tracts together.² The need to fully recognize the unity of the South Parks is now brought into greater relief by the current proposal to impose a parking garage at the eastern terminus and hinge point of the Midway Plaisance, effectively placing a further barrier to the connection that Olmsted and Vaux first envisioned while simultaneously reducing the likelihood that any future initiative could restore that connection. Moreover, the OPC tower, as currently conceived, would adversely affect viewsheds from the full expanse of the Midway Plaisance, not just from the portion of it now included in the APE.

The Inadequacy of the 1972 National Register Nomination; and the *De Facto* 1995 Update

The Inadequacy of the 1972 National Register Nomination

The City of Chicago website that hosts information on the Section 106 review refers and links to the listing of the Jackson Park Historic Landscape District and Midway Plaisance in the National Register of Historic Places, added on December 15, 1972. Notably, that nearly 40-year-old nomination attempts to document the history and significance of both Jackson Park and the Midway Plaisance in one typewritten page—an extremely meager record by even the laxest of standards. The 1972 nomination is clearly an artifact of a bygone era that had yet to develop a full appreciation for the preservation of historic designed landscapes (the NPS did not offer relevant guidance in the form of a National Register Bulletin until 1989). As much is evident in the nomination's "Statement of Significance," which mentions four architectural firms before coming to Frederick Law Olmsted, Sr., the celebrated presence behind the design of the historic landscape district itself. We can be sure that the CPD agrees that the 1972 nomination is today woefully inadequate for use in a documentary capacity, because when the CPD commissioned the U.S. Army Corps of Engineers (USACE) to conduct a Section 506 Great Lakes Fishery & Ecosystem Restoration Study for Jackson Park in 2013 (resulting in the GLFER Project; see below), it provided a 21-page historical assessment of the park, complete with bibliographic citations, as an addendum to the study.³ Prepared by the CPD's own Department of Research and Planning in September 1995 (hereafter the '1995 assessment'; attached), that historical assessment constitutes a *de facto* update to the 1972 nomination, and it should therefore be recognized in the current review as an important statement of significance for the park and its history.

The Implications of the 1995 Update: A Threefold Landscape Legacy

As the 1995 assessment outlines in detail, Jackson Park is today the product of not one, but three historic Olmsted designs—a fact that makes the already significant work by the "Father of American Landscape Architecture" a unique national asset. Frederick Law Olmsted, Sr., and Calvert Vaux submitted the first design to the South Park Commission in 1871. The devastation of the Great Chicago Fire delayed any improvement to the parkland until the late 1870s, when the northernmost section of what was then called Lake Park was improved by grading, seeded lawns, new trees, and the creation of two artificial lakes (one of which survives in the form of what would become the Columbia Basin). When Jackson Park was selected as the setting for the World's Columbian Exposition of 1893, it was once more Olmsted, working with his associate Henry Codman and architects Daniel Burnham and John Welborn Root, who designed the setting of the vaunted White City, a showcase of Beaux-Arts classicism whose formality was artfully juxtaposed with the rugged shorelines of naturalistic lagoons and islands. After the closing of the international exposition, a series of fires ravaged the site, beginning in January 1894, leaving a landscape strewn with charred remains (fig. 1). The Chicago Wrecking and Salvage Company was hired to demolish what was left of the crippled structures, with only five exhibition buildings left

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standing in the end. In 1895, Olmsted, Olmsted & Eliot presented a sweeping redesign of Jackson Park that retained “many of the features characteristic of the landscape design of the World's Fair” while providing “all of the recreative facilities which the modern park should include for refined and enlightened recreation and exercise” (fig. 2).⁴



Fig. 1: Photograph of Jackson Park taken after a series of fires at the site in 1894

The Historical Precedence and Design Intent of the 1895 Plan

The 1895 redesign of Jackson Park by Olmsted, Olmsted & Eliot occupies a special place in the history of landscape architecture as **perhaps the nation's earliest large-scale brownfield-remediation project**. This innovative aspect of the 1895 plan has been recognized in very recent scholarship. As part of the GLFER Project (see below), the CPD, along with a public-private partnership known as Project 120 Chicago and the Illinois Historic Preservation Agency, tasked the firm Heritage Landscapes, LLC, to develop a plan for Jackson Park that would integrate efforts to restore the park's ecology and preserve its Olmsted-era design. In the fall of 2015, Patricia O'Donnell and Gregory De Vries, both of Heritage Landscapes, LLC, published a scholarly article in the peer-reviewed journal *Change Over Time* outlining the framework and implementation of that plan.⁵ As the article makes clear, the 1895 redesign of Jackson Park was an ingenious response—much ahead of its time—to what was in essence an immense brownfield site:

Faced with a massive demolition site, the Olmsted firm innovated to address the brownfield conditions. For example, the firm created soils plans specifying considerable depth of good topsoil in specific areas of trees and shrub planting. As modern-day professionals on the forefront of best practices, we found it astounding to discover that one-hundred-twenty-year-old soils plans, which note two-foot-deep planting areas, guided rebuilding in this brownfield demolition site.⁶

Although features in Jackson Park have since been modified, the most important aspects of the 1895 plan have endured. Its primary compositional elements—the lake, the fields, and the lagoons—knitted together by a circulation system that affords extended views over relatively level terrain, continue to communicate Olmsted's vision for how the park is experienced visually and spatially. That assessment was shared by the 2013 GLFER study, which recognized that “for the most part, Jackson Park today looks similar to Olmsted's 1895 plan in terms of the placement of lagoons, open fields, and areas heavily

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planted with trees and shrubs." And while Olmsted's plan was updated in 1905, two years after his death, the new iteration "was based on Olmsted's previous plans and vision for the park."⁷

In addition to the aspects of Olmsted's design that the park itself evinces, we are fortunate to have the landscape architect's own thoughts about the 1895 plan. In a letter to South Park Board president Joseph Donnersberger dated May 7, 1894, Olmsted outlined his approach to the redesign:

*In this design **every part of all the park must be planned subordinately to and dependently upon every other part...**In this **interdependence of parts** lies the difference between landscape gardening and gardening. It is as designers, not of scenes but of scenery, that you employ us, and we are not to be expected to serve you otherwise than as designers of scenery (emphasis added).⁸*

Another salient aspect of the 1895 plan that can readily be seen today is the prevailing geometry of the landscape surrounding the campus of the Museum of Science and Industry (then called the Field Columbian Museum) in the park's northern sector. Notably, the landscape treatment in that part of the park alone was designed to highlight built architecture. Here, Olmsted was unmistakably explicit, stating that the Field Columbian Museum was meant to be the only "dominating object of interest" in the park:

*All other buildings and structures to be within the park boundaries are to be placed and planned exclusively with a view to advancing the ruling purpose of the park. They are to be **auxiliary to and subordinate to the scenery of the park** (emphasis added).*

—Olmsted to Donnersberger, May 7, 1894



Fig. 2: The Revised General Plan for Jackson Park, 1895

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In addition to the masterful use of the lakeshore, open fields, and interior waterways, Olmsted designed two large, open-air gymnasias along the park's western perimeter just south of its junction with the Midway Plaisance. The two oval gymnasias, one for men and the other for women, were separated by a children's playground (fig. 2), and both were encircled by running tracks that were also used by bicyclists. With the initial groundwork completed at the beginning of 1896,⁹ the outdoor gymnasias in Jackson Park were a reform-era response to the condition of the city's working-class neighborhoods and were relatively new in the United States.¹⁰ Olmsted specifically touted these elements of the overall design, reporting that "similar gymnasias proved very successful in Europe and in Boston."¹¹ The outline of the north gymnasium is still expressed in the footprint of the oval football field along the park's western perimeter (fig. 3), which serves in a recreational capacity while echoing the form of the Olmsted-designed gymnasium.



Fig. 3: North gymnasium, 1895 Revised General Plan for Jackson Park (l.); present football field in Jackson park (r.)

Applying the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes*

The National Park Service's *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes* has a direct bearing on the Section 106 review currently underway. These Guidelines outline the proper treatment of cultural resources that are listed in or are eligible for listing in the National Register of Historic Places. Landscapes, unlike buildings, are dynamic systems. Assessing the potential impacts of alterations to landscapes thus requires a holistic approach, as is reflected in the *Guidelines*, which are organized in two primary areas: [1] Organizational Elements of the Landscape and [2] Character-Defining Features of the Landscape. As the author of the *Guidelines*, I can confirm that the road closures and the construction of the OPC would have obvious adverse effects in both primary areas. While TCLF will comment more fully on adverse effects during the appropriate stage of the Section 106 review (when, perhaps, the exact proposed locations and footprints of the OPC and its dependent structures will be known to the public), several preliminary points can be made at this time.

Jackson Park's natural features include the flat topography of its fields and open spaces, its interior waterways, and the backdrop of Lake Michigan—all elements that contribute to the harmony of the overarching design. The flatness of the ground plane is indeed a character-defining feature of the park, as it was the chief characteristic that Olmsted's design was meant to overcome by linking a system of lagoons to Lake Michigan.¹² The imposition of a massive high-rise tower, hundreds of feet tall, would

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introduce a dominant vertical axis that would reorient the visual and spatial experience of the landscape to focus on a single architectural element, one whose stark facades, reminiscent of a Brutalist idiom, would strongly contrast with its natural setting. This is directly contrary to the overall concept of the park, which was designed, as Olmsted stated, such that its scenery constituted the dominant interest. The tower would also cast a reflection in the water of the nearby lagoons, which were meant to evoke a natural setting by reflecting only the vegetation that surrounds them. As scholar Daniel Bluestone has noted about Jackson Park, "lagoons and lakes that would reflect the foliage provided intricacy and picturesque variety—elements often tamed in other Olmsted designs."¹³ Moreover, the waterways were meant to "provide a sense of indirection, subtlety, and leisure; they fostered a sense of time and motion that contrasted dramatically with the experience of the city's street grid."¹⁴ The monolithic OPC tower would also, of course, loom large over the Wooded Island, destroying its quality as a place of refuge and its "secluded, natural sylvan" character, as Olmsted described it.¹⁵

Yet another adverse effect of such a tower and its related dependencies stems from their inevitable propensity to cast shadows onto the public parkland that surrounds them. The detrimental effects of shadow on public parkland are increasingly well documented¹⁶ and are the frequent subject of litigation. Notably, the "Development Manual for Chicago Plan Commission Projects (2012)" outlines the responsibility of any applicant proposing a planned development to conduct a "Sunlight Access and Shadow Impact Study." The manual further mandates (p. 13):

*Applicants should ensure that the proposed Planned Development does not impose significant shadows on **publicly accessible parks, plazas, playgrounds, benches, or inland waterways**. Accordingly, the Applicant may be requested to provide a shadow impact study which would contain the following elements: Existing shadows and new shadows created by the development; Shadow impacts for build and non-build conditions for the hours: 9 a.m., 12 p.m. and 3 p.m., conducted for four periods of the year at the vernal equinox, autumnal equinox, winter solstice and summer solstice; and a description of how the building design **ensures solar access on public spaces** (emphasis added).*

How, exactly, the OPC, with its monolithic, stone-clad tower, will avoid imposing significant shadows on publicly accessible parkland is difficult to imagine. And given that the OPC project falls within the Lake Michigan and Chicago Lakefront District and is therefore governed by the Lakefront Protection District Ordinance (Sec.16-4-030),¹⁷ whose purpose is to "insure that the lakefront parks and the lake itself are devoted **only to public purposes** and to insure the integrity of and expand the **quantity and quality of the lakefront parks**" (emphasis added), one would expect that the OPC will be subject to particularly stringent scrutiny.

Furthermore, Jackson Park's western perimeter was designed to be visually permeable, lined with trees that define the landscape's edge while allowing lightly veiled views into it. The OPC tower and associated buildings would obstruct views into the park and beyond to Lake Michigan from both the Hyde Park and Woodlawn neighborhoods, altering the skyline in the process. As currently conceived, the OPC complex would also entirely supplant the football field whose footprint echoes the original outdoor gymnasium, an historic feature of the 1895-designed landscape.

Finally, the proposed road closures related to the construction of the OPC would alter the park's circulation network, an important aspect of Olmsted's design that was intended to lead visitors on a choreographed journey through "passages" of landscape scenery (fig. 4). Neither the location nor the

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disposition of the roads were accidental, their curvilinear form intended to contrast with the right-angled streets of the urban grid. In a preliminary report on the nearby designed community of Riverside, Olmsted wrote, in 1868, "as the ordinary directness of line in town-streets, with its resultant regularity of plan, would suggest eagerness to press forward, without looking to the right hand or the left, we should recommend the general adoption, in the design of your roads, of gracefully-curved lines, generous spaces, and the absence of sharp corners, the idea being to suggest and imply leisure, contemplativeness and happy tranquility."¹⁸ As with Olmsted and Vaux's Riverside, the curvilinear flow of the roads in Jackson Park was conceived as a key element in organizing access to the planned scenic narrative.



Fig.4: Horse-drawn carriages and motorcars share the curvilinear roads of Jackson Park, early 1900s

Incompatibility of the OPC and Road Closures with Overarching CPD Plans and Initiatives

The South Lakefront Framework Plan (1999)

Given the framing language of the Section 106 review, another fundamental question is the extent to which the OPC and the related road closures align with the CPD's long-term initiatives and plans for Jackson Park, which have been developed with considerable federal, state, and local funding and resources in consultation with the public and numerous groups. The [City of Chicago website](#) that hosts information on the Section 106 review purports to speak to that question, stating the following: "The Chicago Park District's South Lakefront Framework Plan (1999) outlined many of the proposed improvements now under consideration." Yet even a cursory review of the [1999 South Lakefront Framework Plan](#) reveals that the proposals now under consideration are plainly at odds with that plan on several of its most salient points. First, of the 1999 plan's "Seven Overall Objectives," the fourth is to "recognize and respect the historic significance of these parks" (p. 1). Likewise, the 1999 plan outlined "Seven Guiding Principles," the fourth of which is to "maintain open space character" (p.2). The plan goes on to clarify, in bullet points, that this will include efforts to "Promote open space as the primary land use in the park by seeking opportunities to decrease inappropriate structures, uses and paved

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areas” and to “Maximize the attractiveness of views and long vistas into and within the parks.” The seventh “Guiding Principle” is to “Enhance Historic Features” (p. 3), which includes efforts to “Respect and enhance each park's historic character, and consider the park's historic significance as a key factor when evaluating changes to the park,” and to “Consider each park's historic precedents for landscape form, landscape design, planting, circulation, and views when evaluating or designing changes to the park.” The 1999 plan also clearly identifies historic context as a key consideration for evaluating any changes to Jackson Park:

*Historic Context is an important consideration as one looks at upgrading present conditions and weighing future improvements. **The original Olmsted design has served the park well over time and should not be compromised by future plans** (emphasis added, p. 13).*

Suffice it to add that, with its repeated emphasis on the historicity of the South Parks and the Olmsted design, the 1999 plan does not call for the closing of Cornell Drive in Jackson Park, nor does it envision a 220-foot-high tower on the park's western flank, or a parking garage at the eastern terminus of the Midway Plaisance, all of which are related to the current Section 106 review.

Project 120 Chicago: the GLFER Project

On June 10, 2014, the CPD and the not-for-profit Project 120 Chicago entered into a Memorandum of Understanding (MOU)¹⁹ in order to “memorialize the progress of their collaborative work to date, and provide greater structure to more efficiently and effectively partner on projects to revitalize Jackson Park.” As the MOU states, a founding precept for the partnership is that Jackson Park is “one of the most significant and complex historic landscapes in Chicago and the nation.” A primary undertaking of the partnership is known as the GLFER Project, a “historically based and integrated project of preservation and habitat restoration” in Jackson Park. The MOU goes on to say that in February 2014, “in consultation with Park District and USACE, Project 120 hired award-winning and internationally recognized preservation landscape architect and planner, Patricia M. O'Donnell, FASLA, AICP, and her firm Heritage Landscapes LLC, to work with Park District, USACE, and other members of the Project 120 Team.” As previously mentioned, in late 2015 O'Donnell and her associate published their findings in a peer-reviewed academic journal. It bears repeating that this scholarship is the **direct result of work supported by the CPD, Project 120 Chicago, and the Illinois Historic Preservation Agency**. Part of the published research addressed the GLFER Project's role in reducing the local impact of climate change:

*Noting the important position of this park between the lake and dense urban areas to the north, east, and west, the [GLFER] project has the potential to positively impact the climate of the South Side of Chicago... As summer temperatures increase, air quality can degrade, and heat waves can challenge both human health and economic activity. As proposed by the GLFER project, improvements in air and water quality and the increased density of park vegetation will act to counterinfluence these projected effects. What is the relationship between these potential changes in Midwestern climate and the work currently underway at Jackson Park? **The rebuilding of ecosystems with native terrestrial and aquatic plantings improves water quality and reduces the urban heat island effect. The park will be a cool refuge that will aid in moderating temperatures in the dense surrounding neighborhoods** (emphasis added).²⁰*

The MOU estimated the total cost of the GLFER Project to be \$7 million, with \$4,550,000 coming from a federal contribution and the remaining \$2,450,000 as a local match from the CPD and “private parties.”

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With its dual mandate of ecological restoration and historic preservation and its potential to address issues related to climate change, the GLFER Project would seem to be at odds with more recent plans to install the OPC in Jackson Park, given that the imposition of massive buildings within the park would likely negate any gains of the ecosystem restoration in reducing the urban heat island (UHI) effect.

It is also notable that Project 120 Chicago's Jackson Park Framework Plan²¹ did not envision the closing of Cornell Drive or Marquette Drive, but rather sought to see that "connectivity to and through Jackson Park is reestablished." The organization had also undertaken "The Great Lawn Project,"²² an initiative to "restore over 40 acres of historic and graceful open space on Chicago's lakefront" by relocating the current driving range in Jackson Park to an area south of Hayes Drive. The Project 120 Chicago website states the following in that regard:

In 1978, a driving range was introduced, which is still utilized today, after considerable objection from the Hyde Park and Kenwood communities. There is a chain link fence which surrounds the perimeter of the driving range, and creates a visual, as well as physical barrier to the vision and purpose intended by Frederick Law Olmsted (emphasis added).

The more recent endeavor of the CPD to consolidate the South Shore and Jackson Park golf courses includes the expansion of the driving range that Project 120 Chicago had hoped to relocate. Given that several of the objectives of its long-term initiatives conflict with current proposals related to the OPC, it is notable that in **August 2016**, just days after Jackson Park was announced as the site of the OPC, Project 120 Chicago changed its "focus," adding the following statement to its website:

*What is the focus of Project 120 Chicago? Today, the South Parks are once again a place for grand vision and innovation, and an influential component of Chicago's South Side cultural renaissance and resurgence, and with the addition of SKY LANDING by Yoko Ono and the **Obama Presidential Library**, a marker for peace among all people and all nations (emphasis added).*

It is also worth noting that the Project 120 Chicago website now appears to be defunct, with the most recent information having been posted in October 2016.

In closing, we reiterate that the current APE in the Section 106 review should be expanded to include the entirety of the South Park System, because Washington Park, the Midway Plaisance, and Jackson Park were indeed conceived, planned, and executed as a single system, one that as a practical and cultural resource continues to be greater than the sum of its parts. We also urge that the fuller assessment of Jackson Park's design integrity and significance, and the implications that follow from it, be recognized, as well as the duty to apply the highest standards in evaluating any impact on what is universally agreed to be the irreplaceable inheritance of the citizens of Chicago and the nation. We thank you for the opportunity to provide these comments and trust that they will be taken into consideration.

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founder, President, and CEO, The Cultural Landscape Foundation

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cc: Eleanor Gorski, Chicago Department of Planning and Development; Rachel Leibowitz, Illinois State Historic Preservation Office; Matt Fuller, Federal Highway Administration; Juanita Irizzary, Friends of the Parks; Margaret Schmid, Jackson Park Watch; Ted Haffner, Openlands; Arleyne Levee and Lucy Lawliss, National Association for Olmsted Parks; Michael McNamee, Save the Midway!; Lisa Dichiera, Landmarks Illinois; Ward Miller, Preservation Chicago; Betsy Merritt, National Trust for Historic Preservation

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⁵ O'Donnell, P. and Gregory De Vries, "Entangled Culture and Nature: Toward a Sustainable Jackson Park in the Twenty-First Century," in *Change Over Time*, Vol. 5, No. 2 (Fall 2015), 248-265.

⁶ O'Donnell and De Vries (2015), p. 252.

⁷ *Jackson Park Section 506 Great Lakes Fishery & Ecosystem Restoration Study* (2014), 7.

⁸ Schuyler, D. and Gregory Kaliss (eds.), *The Papers of Frederick Law Olmsted, Volume IX: The Last Great Projects*. John Hopkins U.P. (2015), 778 ff.

⁹ *Report of the South Park Commissioners, Superintendent's Report*; November 30, 1896: "The work of surfacing the gymnasium area with gravel and cinder was completed early in the year, and the running track around the northerly gymnasium was covered with a thin layer of bank gravel, and has been used for a bicycle track; it is one-quarter of a mile in length."

¹⁰ Bachrach (1995), 10.

¹¹ Bachrach (1995), 10.

¹² Bachrach (1995), 1.

¹³ Bluestone, D. (1991), 39.

¹⁴ Bluestone, D. (1991), 44.

¹⁵ Bachrach (1995), 4.

¹⁶ See: (<https://tclf.org/sites/default/files/microsites/landslide2017/themes.html#shadow>).

¹⁷ See: ([http://library.amlegal.com/nxt/gateway.dll/illinois/chicagozoning/title16landuse/chapter16-4lakemichiganandchicagolakefro?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:chicagozoning_il\\$anc=JD_Ch.16-4](http://library.amlegal.com/nxt/gateway.dll/illinois/chicagozoning/title16landuse/chapter16-4lakemichiganandchicagolakefro?f=templates$fn=default.htm$3.0$vid=amlegal:chicagozoning_il$anc=JD_Ch.16-4)).

¹⁸ *A Preliminary Report upon the Proposed Suburban Village at Riverside, Near Chicago*, by Olmsted, Vaux & Co. (1868), 17; reprinted in 1982 by the Wicklander Printing Corp., Chicago, Ill.

¹⁹ "Memorandum of Understanding: Jackson Park, Chicago": see (<http://www.hydepark.org/parks/ipac/MOU%20-%20Project%20120%20Jackson%20Park%20-%20Final.pdf>).

²⁰ O'Donnell and De Vries (2015), 250.

²¹ See (http://www.project120chicago.org/plans_projects/framework-plan).

²² See (http://www.project120chicago.org/plans_projects/p4-great-lawn).